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A PROGRAM LEVEL EVALUATION
OF THE
IMPLEMENTATION OF AB 3121
IN
SANTA CLARA COUNTY

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CONTRIBUTORS

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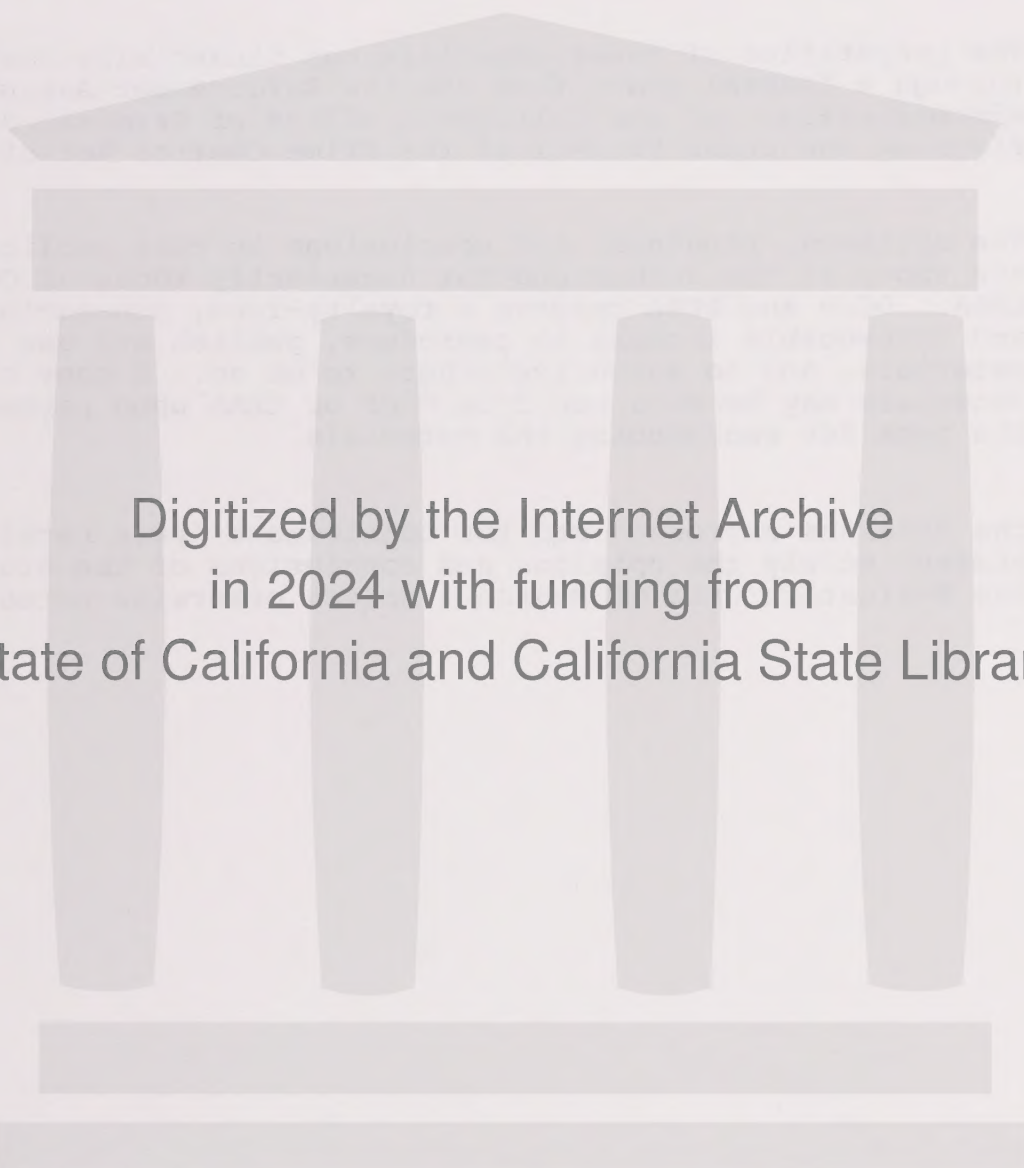
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PART B---Second Interim Report, January 16, 1978

Interim Report, August 26, 1977

INTRODUCTION

This study is being carried out under a mandate granted to the Regional Criminal Justice Planning Board in 1975 to develop, with LEAA funds, the capability to conduct program evaluations and make available to decision-makers timely and useful data at a level that was formerly unattainable. In carrying out the mandate, the Evaluation Unit has gone beyond the conventional evaluation of the project's efficiency and effectiveness to provide a program analysis of the full impact of AB 3121 on the juvenile justice continuum in Santa Clara County. This effort is the first such undertaking by the Unit, and represents a one year assessment of the salient issues. It is designed as a working document, to be used in conjunction with the first and second interim reports.

AB 3121 is legislation that merged two divergent points of view. One, authored by Assemblyman Julian Dixon, emphasized protecting the community and provided more stringent processes for the management of delinquents. The other aspect of the Bill, which deals with non-criminal behavior was fostered by Senator Alan Sieroty; originally offered as separate legislation to remove status offenders from the juvenile justice system, it was added to the Dixon concept in a compromise measure. The abstract presented below is taken from an overview of AB 3121 prepared for the Department of the Youth Authority by Richard Lew, Assistant to the Director and Legislative Coordinator.

Specifically AB 3121 was intended to:

- Draw a greater distinction between W & I Code 601's and 602's.
- Recognize that 601's are generally children exhibiting personal or parental conflict as opposed to behavior which would be a criminal act if committed by an adult.
- Redefine 601's by amending Section 601 and 602 to remove curfew violations from Section 602 and transfer it to Section 601.
- Remove the ability to "escalate" a 601 to a 602 solely because a 601 fails to obey an order of the court.
- Require separate detention of 601's and 602's. (601's to be detained only in non-secure facilities such as shelter care, crisis resolutions homes or any other non-secure facilities described in Section 727 W & I Code.)

- Provide for the establishment of greater community based resources to resolve the problems of runaways, incorrigibles and those in conflict with their parents (Section 654 and 636 W & I Code).
- Provide for handling 601's by probation officers, and 602's by prosecuting attorney (Section 650 and 681 W & I Code). When court action is necessary.
- Facilitate the transfer of serious offenders to the adult court (Section 707 W & I Code) and permit commitment of minors to state prison (Section 707.2 W & I Code).

Another part of AB 3121 shifts the burden of proof to the minor (Section 707 (b) W & I Code) to prove his "fitness" for juvenile court by adding a "rebuttable presumption" if the minor is charged with any of the following eleven offenses:

- Murder
- Arson of an inhabited building
- Robbery while armed with a dangerous or deadly weapon
- Rape with force or violence or threat of great bodily harm
- Kidnapping for ransom
- Kidnapping for purpose of robbery
- Kidnapping with bodily harm
- Assault with intent to murder or attempted murder
- Assault with a firearm or destructive device
- Assault by any means of force likely to produce great bodily injury
- Discharge of a firearm into an inhabited or occupied building

The Juvenile Court must utilize the same criteria existing in current law in its determination and must set forth its reasons in the court order.

AB 3121 was, and still is greatly misunderstood. Many assume that it removes the Juvenile Probation Department from interaction with the 601. Many others erroneously believe that it legalizes status offender behavior. Police can still interact with status offenders, but may no longer hold them in secure facilities. Law enforcement officers can detain, transport to Juvenile Probation Department, deliver to parents, request parental pickup or refer to a community based service agency 601 offenders. Those were and still are the options an officer has when dealing with a 601 offender.

Actual changes in the process have been discussed fully in preceding reports and will not be repeated.

This program evaluation has examined a rapidly changing process - one that is still in flux. The conclusions and recommendations set forth in the body of the report represent at best an interim assessment of the changes. Some major findings and recommendations follow:

RECORDS

- Recordkeeping at the two private service agencies (Alum Rock Counseling Center, Emergency Treatment Center) is deficient for purposes of planning, evaluation, funding and manpower allocation.
- The Juvenile Probation Department's manual file is inadequate as their data is incomplete or unavailable; hand tabulation is tedious and introduces greater risk of error.

Recommendations

- The two private service providers should revise their monthly reporting forms to better identify details of their caseload and case flow.
- Efforts should be made to re-establish the Juvenile Information System, a project designed to effect a computerized management system in the Juvenile Probation Department.

TRAINING

- The effectiveness of training law enforcement personnel for AB 3121 response has not shown conclusive results; each police agency continues to approach juvenile work in an independent and non-standard manner.

Recommendation

- Training law enforcement personnel for juvenile work should be upgraded and emphasized in conjunction with policy clarification (below). Whenever possible, cross-agency training should be made available, i.e., current efforts by the District Attorney to train juvenile probation officers on legal matters are commendable. Whenever possible other cross-agency training should be developed.

POLICY

--Policies regarding handling juveniles are not consistent in the various agencies and require special clarification in the Juvenile Probation Department and law enforcement agencies where discretionary, independent and subjective decisions are made.

Recommendation

-Each agency in the juvenile justice system should have available policy statements that allow only minor discretionary or arbitrary procedures. Current efforts by LEEC to standardize juvenile policy among law enforcement agencies are commendable and should be continued and intensified. Written policies should be shared between all agencies to reduce misunderstandings.

CLASSIFICATION OF JUVENILES

--There are no specific guidelines for patrol officers or intake probation officers for the preliminary classification and subsequent referral of juveniles.

Recommendation

-Problems that reappear in handling status offender cases with dependency aspects, and to a lesser extent alleged delinquent behavior could be attenuated somewhat by standard classification and referral guidelines that allow for structured police/probation decisions and establish an efficient and consistent approach. All subjective, independent decisionmaking points should be subject to periodic review for consistency.

COSTS

--AB 3121 implementation will have cost the County of Santa Clara \$ 1,108,171 during the first 18 months (Jan. 77 - June 78).

Recommendation

-The County should aggressively seek reimbursement from the State for costs associated with the implementation of this legislation.

II

OVERVIEW

Objectives

The goals of the evaluation, assessing project efficiency and effectiveness, and program level analysis of the impact of the legislation, have been met through four types of evaluation methods: . (See Appendix A)

1. a process evaluation of how Project AB 3121 operated during the project year;
2. a compilation and analysis of the interrelationship of the criminal justice components and community interactions which play a part in the processing and handling of all 300, 601 and 602 juvenile offenders prior to and after January 1, 1977;
3. an analysis of changes in the numbers, types and flow of juveniles entering the juvenile justice system in Santa Clara County as a result of AB 3121;
4. a cost analysis of the financial impact of AB 3121 on the County's criminal justice system and community based services.

The specific objectives necessary to achieve these evaluation goals appears below. It would be impossible and meaningless to distinguish Project AB 3121 as an entity apart from the total impact of the legislation in Santa Clara County; the multi-dimensional nature of the legislation and the ramifications of the new procedures requires an assessment of changes throughout the County's juvenile justice system.

As the grant award indicates, the project is comprised of several discrete components (i.e., training of personnel, direct services for youth including ETC and ARCC, and public education). The Criminal Justice Resource System, Emergency Treatment Center, and Alum Rock Counseling Center each have a separate identity and separate goals. The CJRS is being evaluated by a private contractor. Evaluation of ETC and ARCC could not be carried out under the constraints of this design, although the programs are described in the body of the report in terms of their services.

No evaluation of the impact of AB 3121 was undertaken to measure the long range effects on the lives of the juveniles handled in the system. In future years it may be possible to study longitudinal measures of impact, such as rates of recidivism, but such analysis would be inappropriate under this program evaluation.

Problems Encountered

In general, problems associated with the formal collection and analysis of data have been minor, and are largely focused on distilling large amounts of information into a cogent and useful document.

Problems identified in the first and second interim reports were concerned with errata that could have been eliminated through a more careful review and editing procedure. The final document will be subject to a more elaborate review than preceding reports. Concerns have also been expressed regarding assumptions and allusions in the earlier reports that were not fully supported by accompanying data. For example, the attribution of increased population at the Children's Shelter to the new legislation, and discussions of possible "reclassification" of status offenders into dependent and delinquent categories required more elaboration than was provided. We believe that factual errors and ambiguities have been largely eliminated in the final report.

Insofar as no previous program level evaluation had ever been generated, this task required the full attention of the lead evaluator to a multiplicity of details. A succession of circumstances, exacerbated by a failure in managerial procedures was responsible for a number of disruptions over the past year, culminating in a management crisis toward the end of 1977 with the unexpected resignation of the project director and concurrent dissolution of the Regional Criminal Justice Planning Board.

When the AB 3121 evaluation was undertaken, elaborate planning controls were applied to the design and conduct of the data collection tasks (see First Progress Report, 7/8/77, pp. 5-19). A breakdown in the workplan due to staffing changes contributed to a loosening of these controls during the year, and for a period between submission of the two Interim Reports-August 1977-January 1978 progress became erratic and management unsteady. Shortly after the resignation of the project director, management intervention by RCJPB staff was instituted and effective control and direction applied to the Unit's functions. This will be discussed further in the following section.

Staffing

The basic evaluation team was originally organized around the three Evaluation Unit staff persons - Leonard Zeitz, Ph.D., (lead evaluator and project director) Charlsey Cartwright, research associate, and Karen Lang, criminal justice specialist (part-time). At the inception of grant activities, a

field consultant, Kurt Campbell-Mueller was hired to help coordinate activities. Research assistants named below worked on data collection, primarily through direct interviews with criminal justice agency staff at all levels.

-John Alston

-Wayne Miller

-Bernita Brumbaugh

-Vincent Tortolano

-Mary DeMange

-Emil Rodolfo

-Ann Marquart

-Nancie Yomtov

Part-time secretarial services were provided by Jerre Jackson. Ms. Cartwright left the Unit on July 15, 1977 and her duties with respect to AB 3121 passed to Mr. Campbell-Mueller until the end of December. Although it was anticipated that a replacement for Ms. Cartwright would be hired by the end of the summer, this did not occur, and the Unit's functions were slowed considerably by the breakdown in managerial responsibility. On December 5, Samuel P. Rutland, Jr. was hired as research associate, an event followed by the resignation of Dr. Zeitz at the end of the month.

In short, the Unit's work schedule was hampered significantly during a six month period through January 1978. At that time, firm intervention processes were initiated by RCJPB staff to restore initiatives and set priorities for the completion of AB 3121 evaluation and provide continuity for other Unit activities. George Shannon, Planning Director assumed responsibility for guiding the project and the project monitor, Joe Yomtov undertook day-to-day management responsibilities. Principal changes in staffing resulted in upgrading the Research Associate position (Rutland), increasing hours of the Criminal Justice Specialist (Lang) and increasing secretarial hours and duties to the office manager level. Wanda Hendrix was hired for this new position in March.

OVERVIEW OF AB 3121 IMPLEMENTATION

The effective date of AB 3121, (January 1, 1977) saw Santa Clara County initiate what was then termed an interim plan for services to the W & I 601 offender. This interim plan involved contracting for counseling services with Alum Rock Counseling Center in San Jose and Emergency Treatment Center in Palo Alto. An implementation project grant was developed and became operational in May of 1977. The AB 3121 implementation project grant contained fourteen (14) major elements directed at enabling the community to serve minors who would otherwise be processed through the juvenile justice system. The implementation project was viewed as a planning grant which was charged in the broadest sense with the responsibility for development of a permanent plan for services to the W & I Code 601 population.

The grant expectations for the project were more than should have been reasonably expected for a single individual to accomplish within six months. Although a detailed interim plan was developed, it in some ways contributed to the limited activities undertaken by the project coordinator. Realizing that all of the stated grant objectives could not be accomplished given the resources available, the project coordinator focused on the area of community education and spent at least one third of the project time on that objective as opposed to any other grant objective.

The planning package that the project coordinator inherited limited the choices that could be made regarding the interim phase of AB 3121 implementation. Some of the limits imposed upon the implementation project were a matter of concern to the project coordinator. The major area of concern was as follows:

- Initial dissatisfaction with the consultant selections and dollar amounts for training and evaluation components of the project.

1. Chronology of Events

The chronological time line presented below shows how Santa Clara County reacted to rather than planned for the effective date of AB 3121. Santa Clara County a year after the effective date (1/1/77) is still using its interim service model. Seemingly this interim model has become the permanent functional model for services to the W & I designated 601 population. This leads to the belief that little or no attention will be paid to plans which may be developed by the AB 3121 implementation staff, particularly if the plans are divergent

from the current practice. The above criticism is not meant to suggest that the contracted services are in any way deficient. The services, however, were being provided prior to AB 3121 and could have been continued without an elaborate implementation project. Santa Clara County has not significantly changed the way it does business in regard to the 601 population.

The Santa Clara County Board of Supervisors has taken an advance position in regard to 601 community services. The concept of deinstitutionalization was recognized at an early point in Santa Clara County. This concept was implemented to a degree by funding of 601 diversion programs operated by JPD. It was partially because of this substantial compliance with the intent of AB 3121 that such limited additional services were developed as compared to other jurisdictions which had to develop complete service plans.

SEQUENTIAL CALENDAR OF EVENTS

AB 3121 signed into law.....	Approved by Governor	9-20-76
	Filed with Sec. of State	9-21-76
	Effective Date of law	1-01-77
Board of Supervisors Authorization..... of Submittal of Preliminary Grant Application to O.C.J.P.		1-04-77
Notification to County of O.C.J.P..... Approval		4-29-77
(The County initiated action and began developing an interim plan for AB 3121 implementation in November/76. Final grant applica- tion was submitted to O.C.J.P. in February/77).		
Contract dates for 3121 supplementary contracts..... with E.T.C. and Alum Rock C.C.		12-29-76
Interim contracts with ETC and ARCC.....	1-01-77 to 6-30-77	
Amended contracts (extension) ETC and ARCC.....	7-01-77 to 9-30-77	
Original Grant Period.....	1-01-77 to 12-31-7	
Extension of Grant (2 extensions).....	1-01-78 to 5-31-7	
Board Approval of ETC and ARCC amended contracts.....	5-10-7	
Board Approval of C.J.R.S. Contract (Training).....	5-17-7	
Board Approval of R.C.J.P.B. Contract (Evaluation).....	5-17-7	
<hr/>		
Board Approval for Hiring of Project Coordinator.....	5-10-7	
Coordinators starting date.....	5-15-7	
Operational date for Wilson House.....	10-05-	
Operational date for Casa S.A.Y.	6-13-	
Begin dates for Project staff.....		
Robert Hirano (Project Director).....	5-15-7	
Lynn Fisher (Clerical).....	6-20-7	
Nan Bixler (Resource Inventory).....	5-01-7	
Dina Iguchi (Exec's office on loan).....	10-01-7	

2. AB 3121 project description

The AB 3121 Implementation Plan was required, in accord with the application, to:

- Contract with Emergency Treatment Center and Alum Rock Counseling Center to operate 24 hour crisis intervention services for minors under the age of 18.
- Conduct a services needs assessment and inventory.
- Acquire additional appropriate services as needed including temporary out of home placement.
- Provide training for law enforcement personnel regarding AB 3121. The Criminal Justice Resource System was designated in the application as the training agency.
- Be evaluated for its effectiveness by the Regional Criminal Justice Planning Board's Evaluation Unit. (program level study)
- Provide public education services on the impact and implications of AB 3121.
- Use the Request for Proposals (R.F.P.) process to enter into additional contractual agreements with service providing agencies once other service needs are identified.

In order to evaluate the effectiveness of the AB 3121 implementation project it was necessary to evaluate in some fashion all of the activities it was designated to carry out.

Each of the components listed above were evaluated. The details of the evaluation for each component are presented in the following section.

The AB 3121 staff convened a consortium of youth service providers. This consortium is still relatively unorganized but has the potential to be a dynamic force in the allocation and policy processes involving youth services. The consortium has met on several occasions but has not formalized an organizational structure, meeting times or purpose for existing. Without the guidance of AB 3121 staff it is unlikely that the consortium will continue.

Many community meetings regarding AB 3121 were held and further contributed to development of the implementation plan.

3. Process

The AB 3121 implementation project was a relatively closed process in regard to input into the development of the implementation plan.

The principal actors who may have contributed conceptually to the development of the plan were members of the Child and Adolescent Advisory Committee and some community service providers. In addition, the Project Director paid close attention to the implementation process in other jurisdictions. Past experience has shown that any planning effort has to have a wide range of involvement at every stage in order for the final outcome to have a chance for successful implementation. The level of interaction necessary to finalize a desirable and widely accepted implementation plan did not occur.

4. Progress

Little if any change has occurred in regard to services to pre-delinquent and delinquent youth in Santa Clara County. The same service modality in use prior to AB 3121 is still in use today. The primary change is that services are now institutionalized somewhat. Funding support no longer comes from revenue sharing or other soft sources but rather out of the County general fund. This represents an attitude change and recognition that non-traditional, non-governmental youth services can be utilized to a greater extent than in the past.

5. Conclusion

The AB 3121 Implementation Plan should be viewed as a success in that it has increased public awareness regarding the 601 within the criminal justice system and has involved many youth service providers in the first sustained effort to interact within a service system.

The following chapter details the activities and results of the project's components.

IV PLANNING ACTIVITIES

A. PERMANENT SERVICE IMPLEMENTATION PLAN

In discussion with the project director it is evident that a comprehensive, well thought out permanent service plan has been conceptualized. It appears that whatever is finally developed as a written document will be supported by the Child and Adolescent Advisory Commission. The director's final report, the permanent implementation plan and this evaluation are being developed concurrently, thus the Evaluation Unit cannot comment further on the implementation plan.

B. COMMUNITY EDUCATION

The Project staff directed most of their energies to this operational component. At the onset of AB 3121 little was known at the community level regarding the impact the legislation might have. Project staff disseminated information regarding the Bill in a forthright and highly competent manner. The Director obtained media coverage for his views and consistently exposed agencies and individuals to the concept of community services as an alternative to the Juvenile Justice System for the status offender population. The project director also consistently pointed out that the real legislative intent of AB 3121 was to get tough on juvenile crime.

From May 1977 through January 1978, Project staff made twenty-four (24) personal appearances with a total of over eight hundred people attending. The predominant audience of the presentations was professional (51%). This is viewed as being highly appropriate as the professional has the responsibility for referral to the community service. Without the emphasis that was placed on community education by the project director it is likely that services such as E.T.C. and A.R.C.C. would not have been utilized to the extent that they are presently being used. In addition the project director has appeared on eight (8) radio and five (5) television shows, prepared six (6) bilingual public service announcements and been interviewed for six (6) major newspaper articles. A listing of community education activity can be found in appendix B.

C. NEEDS ASSESSMENT

The AB 3121 project staff employed the same static, intuitive e.g., service provider "feelings" as opposed to hard data approach to needs assessment that has been employed in many jurisdictions and areas of concern in the past. The approach involves the use of generalized questions

which were asked of service providers. An example of such a question is: What additional services do you think are needed for this population?

The problem presented in the above approach is that measurement of need is based on service demand data which is solicited from service providers. Highly utilized services are not in themselves justification for amplification of those services. The service provider has a vested interest in augmenting service levels and therefore cannot be objective regarding the issue of what services are needed. Seldom does a response come back from a service provider with a need statement unrelated to their own service delivery. The Unit recommends that any future needs assessment activity be directly involved with service users.

The project needs assessment effort determined that mid-care residential facilities were required. The project also attempted to infer through its service inventory the need for known traditional services in Santa Clara County. The inferential process is judged by many to be a naive way to go about conducting needs assessments. The theory in the inferential approach is that certain services for a particular population exist in a given jurisdiction. Similar services do not exist here, therefore, they are needed. This type of faulty reasoning has resulted in new services cropping up without any more documentation than the fact that they existed elsewhere.

In summation, the Unit believes that the needs assessment effort of the AB 3121 staff was ill-conceived and brought about a predetermined outcome. The service providers' concern for clients can sometimes result in the initiation of beneficial services; this does not alter the fact that clients are best capable of determining their own needs. It is possible that the client will use that service more and that it will have greater positive impact.

D. SERVICE INVENTORY

The service inventory of AB 3121 staff involved the compilation of youth services in a single directory. The directory addresses a broader population range (no one can clearly define the W & I Code 601) than should be the concern of project AB 3121 staff.

This had not been done before to the extent that the AB 3121 staff accomplished. However, for the following reasons this project effort is viewed as limited.

- The directory will be in need of frequent update and no mechanism has been identified to provide continuity.
- In developing the directory, staff subscribed to the opinion that services are not utilized because no one realized they exist.
- The services for youth that the project isolated existed as listings in toto in other directories.
- The format of the directory is not conducive to ready identification of the applicability of the service for the 601 population.

Both the needs assessment and service inventory effort are viewed as having produced marginal results.

E. COMMUNITY SERVICES

1. Description of Alum Rock Counseling Center

Alum Rock Counseling Center has been providing crisis intervention services under the auspices of Santa Clara County since January 1975.

The counseling center has as its major program goals:

- a. Provision of immediate relief to minors, or minors and their families in crisis situations.
- b. Restoration of stability and prevention of recurrences.
- c. Increased use of community-based resources and reduction of client dependence on the Juvenile Probation Department, the Department of Social Services, and the Mental Health Bureau of the Health Department.
- d. Promotion and coordination of existing related services.

In order to achieve its program goals the Alum Rock Counseling Center Service units as listed and defined below:

Referrals and Initial Assessments

Trained staff receives referrals from public/private agencies, organizations, relatives, friends or individual and assesses the nature of the referral. Staff then determines if the referral is appropriate to receive 24-hour crisis intervention services or other services provided to the proposed client population.

Resolve Crisis by Telephone

Trained staff resolve an appropriate initial crisis situation over the telephone by providing immediate crisis intervention counseling. One unit of crisis resolution by telephone consists of one hour of service.

Face to Face Crisis Counseling

Trained staff provides immediate face to face counseling to a minor or other persons in order to resolve the crisis. One unit of Crisis Counseling consists of one hour of service.

Continuity Counseling--By Telephone

After the initial counseling session, trained staff provides continued counseling by telephone in order to resolve the crisis. One unit of Continuity Counseling--By Telephone consists of one hour of service.

Alum Rock Counseling Center under an agreement executed prior to October 1, 1977 is to provide 830 units of service beyond the referral and initial assessment stages. The one hour per contact is an agreement for billing purposes between the County and Alum Rock Counseling Center. No attempt was made by the Evaluation Unit to document time spent by ARCC on any one element of its services. It is assumed that the County is monitoring the agency for contract compliance. The effective date of services is from October 1, 1977 through September 30, 1978.

Organization Structure and Staffing

The organizational structure of ARCC consists of a Board of Directors; an Executive Director; Program Directors for the Counseling Center, ARK School for Emotionally Disturbed Children and Mandala Pre-School; staff and a community advisory-liaison network.

Members of the Board are:

- George Doub, LMFC, Clinical Director/Executive Director
- Jerry Drino, President, Vicar-St. Philip's Episcopal Church, San Jose
- Carlos Gonsalves, LMFC, Lecturer, School of Social Work, SJSU
- Jon Kangas, Ph.D., Director of Counseling Services, Evergreen College
- Jim Poggi, Vice President, LMFC, Director of Family Counseling Project, Center for Employment Training (CET), formerly OIC.

The Board meets regularly and is responsible for developing overall policy of the corporation.

Alum Rock Counseling Center in its present organizational format has no apparent separation between the operational and policy units of its program. The Executive Director (operations) is also a member of the Board of Directors (policy). This is a poor administrative practice and could lead to some administrative difficulty if its is continued.

Alum Rock Counseling Center utilized contract affiliates as well as maintaining a core staff. Listed below are the personnel currently providing services at A.R.C.C.

STAFF	DEGREE	LANGUAGES	ETHNICITY
George Doub, Executive Director	M.A. Divinity	Spanish	Latino
Ralph Feliz, Gilroy Office Manager	----	Spanish	Chicano
Josie Lopez, Social Services Coord.	A.A.	Spanish	Chicana
Frances Gonzalez, Secretary, S.J. Office	----	Spanish	Chicana
Virginia Morales, Secretary, Gilroy Off.	----	Spanish	Chicana
Lois Crawley	----	----	Chicana
Rosemary Davila	A.A.	Spanish	Chicana
Wally Donohue	Ph.d.	Spanish	Anglo
Juanita English	M.A.	----	Black
Adam Escoto	A.A.	Spanish	Chicano
Fred Gere	M.A. Divinity	----	Anglo
May Gere	M.A.	----	Anglo
Carlos Gonsalves	M.S.	Port., Span.	Portugese
Tamar Jacobs	M.A.	Spanish	Anglo
Ann Kangas	M.S.W.	Spanish	Anglo
Jon Kangas	Ph.d.	Spanish	Anglo
Hope Lopez	B.A.	Spanish	Chicano

STAFF	DEGREE	LANGUAGES	ETHNICITY
Tom McHahon	M.A. Divinity	----	Anglo
Jose Montes De Oca	B.A.	Spanish	Chicano
Fred Nervaiz	----	Spanish	Chicano
Donna Ostlund	M.A.	Spanish	Anglo
Wes Phillips-Matson	M.A.	----	Anglo
Jim Poggi	M.A.	Spanish	Anglo
Margery Regaldo	M.A.	Spanish	Chicana
John Reyna	B.A.	Spanish	Chicano
Harvey Rupp	M.A.	Spanish	Anglo
Ray Segura	A.A.	Spanish	Chicano
Jose Ulibarri	M.S.W.	Spanish	Chicano

Service Level

The chart below compares the 1976 and 1977 level of A.R.C.C.

	<u>1976</u>	<u>1977</u>	<u>% Increase</u>
# of Referrals and initial assessments	1308	2324	(77.6%)
Reduce Crisis by Phone	101	143	(41.5%)
Initial Face to Face Counseling	812	1285	(58.2%)
Continuity Counseling Face to Face	1462	2521	(72.4%)
Continuity Counseling by telephone	89	270	(203%)

2. Description of Emergency Treatment Center

Emergency Treatment Center provides services which are almost identical to those of Alum Rock Counseling Center. It has been in operation officially since February of 1975. E.T.C. is a more clinical model for crisis intervention than is Alum Rock and seemingly has a higher level of clinically trained professional staff. E.T.C. has the same contract arrangements for service with the County that Alum Rock has. Its program goals are the same as those of Alum as are the program components that are offered.

Organizational Structure and Staffing

The Community Advisory Board of E.T.C. has as members representatives of diverse ethnic backgrounds. The staff consist of Licensed Clinical Psychologists and M.A.s in psychology. The staff breakdown is presented below.

STAFF	DEGREE	LANGUAGES	ETHNICITY
Bayard, Jean	licensed Ph.D. Clinical Psychology	Thai, Spanish	Anglo
Bayard, Robert	same	same	Anglo
Binford, Ione	MA Psychology	Portuguese, Spanish	Portuguese, Spanish
Bodin, Arthur M.	licensed Ph.D. Clinical Psychology	--	Anglo
Corson, Judith, Asst. to Director	BA, teaching credential	French, Spanish, Italian	Anglo
Everstine, Diana S.	licensed Ph.D. Clinical Psychology	--	Anglo
Everstine, Louis	same	Spanish	Anglo
Fenstermaker, David	MFCC	--	Anglo
Gordon, Nancy, Coordinator	MA Latin American Studies	Spanish	Anglo
Hannon, Ann	MSW	--	Anglo
Johnson, Novelle	MS Psychology	--	Anglo
LaCrosse, Gary	MA in progress	Spanish	Anglo
Rappoport, Alan	Ph.D. in progress	--	Anglo
Valcov, Eileen	licensed Ph.D. Clinical	--	Anglo
Van Arsdale, Howard	Ph.D. Clinical Psychology	Dutch, Sign Language	Anglo
Witt, Madeline	R.N., MA in progress	--	Anglo
Hansen, Glenna Office Manager	----	--	Anglo

Service Levels

The chart below compares the 1976 and 1977 caseload level of E.T.C.

	<u>1976</u>	<u>1977</u>	<u>% Increase</u>
# of Referrals and initial assessments	850	1372	(61.4%)
Reduce Crisis by Phone	151*	322	(113.2%)
Initial Face to Face Counseling	429	753	(75.5%)
Continuity Counseling Face to Face	681	1487	(118.3%)
Continuity Counseling by telephone	695	887	(27.6%)

* 11 months only

Although both E.T.C. and A.R.C.C. keep excellent client records the data forms they maintain are not adequate for planning purposes. Additional information on the forms should separate the case by age, sex and race e.g.:

<u>Age of Principal</u>	<u>Sex</u>	<u>Race</u>		
(0-5)	5 M	3 Blacks	2 Caucasians	
(5-9)	6 F	3 Caucasians	1 Asian	2 Blacks
TOTAL	11			

A record system such as the one depicted above would enable the service provider to make better decisions in regard to service delivery and would enable the evaluator to obtain a more detailed picture of the service system. Such questions as: Do black youths enter into a pre-delinquent pattern at an earlier age and do females respond more favorable to crisis resolution efforts could be answered. It would also be desirable to link the above socio-economic details with the type of offense the youth commits.

The services currently being provided by A.R.C.C. and E.T.C. appear to be adequate. The agencies are well staffed, community oriented and ideally situated to provide services to their constituents.

There was no direct observation by the Evaluation Unit of any of the services provided by E.T.C. or A.R.C.C.

F. CRIMINAL JUSTICE RESOURCE SYSTEM TRAINING

1. Background

From the beginning, AB 3121 project staff and the staff of C.J.R.S. did not enjoy the most harmonious of working relationships. This was due in part to the fact that almost half (\$14,000) of the money awarded C.J.R.S. was allocated for equipment purchase. The AB 3121 staff had difficulty understanding the propriety of such an expenditure and also questioned the fact that the equipment would ultimately be put to use in other jurisdictions on matters which had no connection with AB 3121. These issues were raised quite early and still continue to be a matter of resigned concern. It is the contention of AB 3121 staff that many of the services they expected to receive from C.J.R.S. were in fact performed by AB 3121 staff e.g., script writing for the

video tapes and typing of materials for C.J.R.S. C.J.R.S. has a grant mandate to make available the latest training materials across jurisdictional lines. In fulfilling this mandate to Region M (Santa Cruz, Monterey and San Benito Counties), C.J.R.S. has loaned both equipment and training materials.

In spite of the less than harmonious working relationship a cooperative spirit prevailed and the necessary tapes and slide presentations were produced and disseminated. Thus, the conflicting mandates were not disabling to either project.

Conjointly AB 3121 and C.J.R.S. staff produced twelve complete video programs and a sound supplemented slide presentation. The programs were viewed by over 900 police officers within the 13 counties served by C.J.R.S. (no attempt was made to quantify the activity outside Santa Clara County).

Evaluation of video tape training programs were obtained by C.J.R.S. by distributing questionnaires each time the tapes were shown. The questionnaire was intended for all law enforcement personnel who viewed the program; a total of 485 (52%) questionnaires were returned.

The tasks of C.J.R.S. as stated in the contract award are as follows:

°Conjointly with input from Law Enforcement Officers and Juvenile Bureau Chiefs, C.J.R.S. will develop training aids for line personnel to be educated in the new juvenile court law AB 3121, its impact upon their role with the status offender including procedural changes within their own agency and at the Juvenile Probation Department.

°Conjointly C.J.R.S., each Training Officer, Juvenile Bureau Chief, will acquaint all line personnel and their immediate supervisors with local resources, the program staff policies and procedures required of those making referrals for the status offenders needing counseling or emergency housing and care.

°Assist the 13 law enforcement agencies in the development of written juvenile procedures. Additionally, the role of the juvenile officers within each agency will be emphasized towards the avoidance of improper handling of the juvenile referral that could result in law suits.

°Work with the Basic Law Enforcement Training Academies in the development of training materials on the juvenile court law, the proper handling of the status offender and other areas that are germane to the line police officer.

C.J.R.S. personnel trained fifty-one (51) people in the use of the video equipment. Most of the people receiving training were from within the law enforcement community. Training manuals were provided for all participants. The AB 3121 project director received training in the use of the equipment and assumed the responsibility for all outside requests for its use. The AB 3121 project director estimates that approximately 10 community agencies used the equipment from July through December 1977.

An interactive process was developed whereby counselors from the agency depicted in the video tape were available at roll calls. This resulted in the police having an immediately responsive representative to whom any questions could be directed following viewing of the video programs. C.J.R.S. will continue to up-date, modify or reproduce all products developed and distributed under AB 3121 as procedures and law changes dictate.

2. Training Program Evaluation

The six questions which appear below were asked of the police respondents who viewed the programs.

I

What do you think was the purpose of this training presentation?

Response

The response to this question were too varied to tabulate.

II

Was the presentation informative? Did you learn something from it?

Response

Eighty-five percent (85%/412) thought the tapes were informative fourteen percent (14%/69) thought they were not informative or educational (1%/4) had no opinion.

III

Will you use this information on your job?

Response

Ninety-four percent (94%/455) stated they would use the information from the videotapes concerning status offenders on their jobs. Four percent (4%/21) said they would not use the information because they did not believe in AB 3121. Two percent (2%/9) had not made up their minds as to whether or not they would use the information.

IV

What other benefits did the training provide?

Response

Seventy-seven percent (77%/375) had no comment to the above question. Twenty-three percent of the respondents (23%/110) made some of the following types of remarks inresponse to the question.

- New information.
- Showed there are other places than J.H. for 601 kids.
- Showed me the counseling centers available.
- New methods of communication.
- A nice rest before going to work.
- Raised more questions.

V

What additional training related to AB 3121 or the Juvenile Justice System would be of interest to you?

Response

Seventy-three percent (73%/354) had no comment on this question. Twenty-seven percent (27%/133) requested the following training:

- Two to three day seminar on juvenile procedures.
- Need resource handout of all agencies available.
- Officers liability information.
- Anything not already presented in juvenile area.
- Keep us up-to-date on new laws.
- The inner working of JPD.
- How to repeal AB 3121.
- I'm too skeptical to want any more information.
- Not a social worker, don't need this stuff.
- What are other alternatives for us?
- Need a new up-to-date 601 code book.
- Unknown at this time.
- Teach us crisis intervention.
- How to counsel parents of 601 types.

VI

How might this presentation been improved?

Response

Eighty-two percent (82%/398) had no comment. The remaining eighteen percent (18%/87) made the following suggestions.

- Good presentation.
- Perfect.

- Too dry--more realism needed.
- More time for questions and answers.
- Extremely boring.
- Give us a handout with names and telephone numbers on it of all counseling services available.
- More girls.
- Use color film.
- If we had a sudden power outage.
- Combat training films are more fun.
- Good for public use--too general for police.
- No way to improve it--good!
- More field encounters and how to handle them.

The comments provided by the officers who reviewed the films should prove useful in the further implementation of AB 3121.

MEDIA ANALYSIS

The Unit reviewed 166 clippings¹ from all over California covering the period from 21 December 1976 through 31 August. Such a proliferation of articles suggests the importance of the legislation, as it affected both individual and county organizations.

As was also to be expected, the flow of articles was much heavier in the early months, as follows:

	#	%
December 1976	4	-----68.7
January 1977	31	
February 1977	38	
March 1977	41	
April - Aug. 1977	52	31.3

This early emphasis had unfortunate consequences, in that the general stress in the first articles was frequently suggestive of AB 3121's "failures," whereas later items appear to be more moderate, more balanced, and more likely to view AB 3121 in a positive light. We are not able to ascertain whether the shift from "negative-many articles" to "positive-few articles" was a deliberate distortion by the press, in that it is simply more traditional of the press to emphasize problems rather than solutions. For whatever reason, we re-assert that the early and relatively heavy publicity for AB 3121 was frequently negative, and that the later, relatively light publicity was more positive. Early negative bombardment of the public has probably not been totally counteracted by the later positive flow.

Since the law's intentions were bifurcated--namely, the further deinstitutionalization of status offenders (601's), and the harsher punitive possibilities for delinquents (602's) - the early articles and editorials might be opposed to one or another section of AB 3121, depending upon philosophy and/or personal experience. (It should be parenthetically noted that the early articles were not replete with empirical evidence, but frequently, relied on individual cases upon which some prediction for the future was made. Almost invariably, these predictions were of a dire and disastrous nature.)

The possible consequences of the new law were, of course, open to many interpretations, again based upon philosophy, early experience or discipline

¹ The Evaluation Unit was supplied with newspaper and magazine clippings related to AB 3121 by Mr. Ernest Bachelor, Assistant Chief, Division of Program Development, California Youth Authority, and we are indebted

(e.g., police officer, probation officer, district attorney, etc.) Thus, a probation officer in some jurisdictions might be quoted as favoring the 601 intention and opposing the 602 intention, whereas a police officer in the same county might take a reverse position. It should be noted that the above was not always the case: sometimes it was police officers who favored the deinstitutionalization emphasis and probation officers opposed it.

The above general descriptions of widely divergent points of view demonstrate that early statements were based upon philosophy, intuition, insight, and feelings and perhaps incidents in the first cases handled. Little empirical evidence of an aggregate nature was made available (or indeed was available at early dates.) The trend throughout the early period (through March) was negative. A general content analysis of articles and editorials reveal these results:

Neutral statements	(i.e., descriptions of the law's components; methods for researching the law's goals, etc.)	38%
Positive statements	(i.e., statements about the future value, good intentions, positive results, etc.)	17%
Negative statements	(i.e., statements about future problems, negative results, etc.)	45%
		<u>100%</u>

An example of a neutral statement is, "The law provides that 16-and 17-year olds accused of certain violent crimes are presumed unfit for treatment as juveniles and bear the burden of convincing the court they should not be transferred to adult court." (San Jose News, 5 January 1977)

An example of a positive statement reflecting good intentions is the following quote from the Antioch Ledger, 27 March 1977: "'The intent of the law is good,' he said 'Some have accused juvenile halls as being crime factories. The less exposure a kid has to it, the better off he's going to be.'"

An example of a negative response is the followings from an editorial in the San Jose Mercury-News of 2 February 1977: "There is something disturbing about California's newest law governing the conduct of serious juvenile criminals and the so-called 'status offenders' who have committed no crimes....

"It's major failure is that no funds are provided for implementation of the law---burden for this is thrown on local government which cannot afford

the cost."

(This same editorial quotes Judge Eugene Premo to the effect that youngsters will be turned loose in the community "where they probably will not be able to resist pressure to criminality," and Mr. Richard Bothman, the Chief of Juvenile Probation, who feared that juvenile officials would not be able to help status offenders.

An analysis of 114 articles and editorials in the first three months reveals the following:

1. Approximately one out of four articles (27 articles) were straight, factual (hence neutral) statements about the nature of the new law.
2. Of the remaining 87 articles several were mixed in that they conveyed both negative and positive about AB 3121 and its consequences. Of the statements which conveyed a particular sentiment, 73% were negative and 27% were positive.
3. Those statements that were positive were ranked in this order:
 - a. The new law is good for status offenders.
 - b. The intent of AB 3121 is good.
 - c. The state will help defray the costs of the new law.
 - d. Police work will be made easier.
 - e. Citizens will now take a more active role in dealing with juveniles.
4. Typical of the premier positive statement was the headline in the 5 January 1977 Dublin Tri-Valley News which said, "Juveniles Get Break."
5. Those statements that were negative were ranked in this order:
 - a. Costs (of facilities)
 - b. Additional work-loads (need for added personnel)
 - c. Children running wild (getting into trouble)
 - d. No facilities available
 - e. Parents not equipped to deal with problem children
 - f. Probation officers no longer helpful
6. Problems associated with the cost of implementing AB 3121 were primarily responsible for negative statements. In most instances, county supervisors' negative response to the new law was based on grounds the the State had "illegally" passed a bill without providing

the necessary funding to implement. The cost of facilities to house 601's was frequently an issue and a significant group also spoke of the need to hire additional district attorneys and public defenders. (In Santa Clara County, The San Jose News of 5 January 1977 headlined "County Costs Mounting for New Juvenile Law," and further stated the District Attorney would hire three new deputies and two clerical aides; the Public Defender was requesting three additional emergency positions and four additional non-emergency positions and that the estimated additional cost of AB 3121 to the County would be \$235,000 through June, and \$400,000 for the full year of 1977.)

A typical headline of this early period appeared in the La Mirada Lamplighter of 26 March 1977: "Juvenile Delinquency Costs are Monumental."

Other headlines reflected County Supervisor's objections: "Lake [County] Urges Repeal of New Juvenile Law" (Santa Rosa Press Democrat, 27 December 1976)

"Supervisors Balk at Law Without Funding" (Auburn Journal, 24 December 1976)

Still others stress other officials' concerns:

"Juvenile Judge Tackles State Law" (Costa Mesa Daily Pilot, 12 January 1977)

7. The above are all negative statements based upon fiscal problems. There were, however, significant numbers of complaints stressing sociocultural concerns. An article appearing in the 9 January 1977 issue of the Contra Costa Times by-lined Carolyn Hill states in part, "I agree with the basic content of the bill which, supposedly, is to decriminalize incorrigibility, curfew violators, truancy and running away from home....[but] I do not agree with the fact that children now can, when picked up for such 'non-crimes' walk away from the police...whenever they choose...What is this society coming to when children, immature and unknowing have the last word?..."

Or again, under the by-line of Larry Duthie in the Dunsmuir News of 26 January 1977, the following:

"No longer can parents of runaway children expect law enforcement officers to help them find and return their children. No longer can parents rest secure evenings,

knowing that after curfew time, police officers are empowered to usher errant children home."

"...implementation of AB 3121, the new law, leaves parents more alone in their tough job of rearing children."

Finally, an editorial in the Madera Tribune of 30 December 1976 headlined:

"An Unbelievable Law" stated in part, "Many times the best medicine a runaway juvenile could get is to be locked up briefly in a detention center. The bleak walls, the utter isolation...-these are things that clear the cobwebs from a youth's mind in a hurry."

"The hard-core juvenile who is already into the crime scene will scoff at the soft handling of his truancy."

Curiously, there was no mention made of the greater punishment for some 602's, and there was some confusion between truancy and "hard-core" juvenile behavior. The Unit observed that these were common statements in the first three months of AB 3121 existence.

Whereas negative statements having to do with cost were about equally divided in terms of dual impact of AB 3121 (i.e., more personnel needed to handle 602's, more facilities to deal with 601's), negative statements of a social nature emphasized only the liberating aspects of the 601 section, and not the stringent aspect of the 602 section.

Insofar as negative articles were more common than positive ones in the first three months, the Evaluation Unit gave them more attention. The negative statements not only appeared more frequently but were written with angry rhetoric; the positive articles were more likely to be couched in mild reportorial style or full of qualifying language:

"AB 3121 is a well-intended act but..."

A few articles had high praise for the stringent aspects of AB 3121, but denigrated the sections dealing with status offenders. Thus the headline in the Yuba News-Sentinel of 31 December 1976 stated, "Juvenile law good, bad." The text quoted of the Juvenile Justice-Delinquency Prevention Commission, as stating that, "...the only

good thing (about AB 3121)...is 16-and 17-year olds that commit violent crimes will now be tried as adults in California."

"...the measure literally opens the door for marginal delinquents." "It takes the incorrigible runaway or truant out of the juvenile justice system,"

Intermediate Review Period

Following the initially strong reaction to the legislation, it was anticipated that a "shake-down" period would occur and empirical evidence would become available. It was also expected that the vehemently negative expressions would become blunted. Articles appearing in mid and late March appeared to support this view. Of seven articles appearing between 15 March and 31 March, two were neutral in explaining AB 3121, one described a panel discussion which both positive and negative elements were expressed: "Panelists expressed mixed feelings about the new law, but the main point that emerged from the discussion was that these agencies are worried and confused about the implications of AB 3121." (Chico Enterprise-Record, 15 March). One article described a confused situation in which an Orange county judge ordered that juveniles who had run away from non-secure facilities be placed in juvenile hall. (Costa Mesa Pilot, 16 March). One article was negative: "Juvenile Delinquency--Costs are Monumental" (La Mirada Lamplighter, 26 March), and two were positive. The Madera Tribune, which had been editorially vitriolic reported its headline of 15 March, "New Juvenile Program said to be Working Fine."

It appeared that the initial fears of chaos and skyrocketing costs were not borne out and persons dealing with juveniles had begun to find some value in AB 3121. Others were concerned about unforeseen consequences, ramifications and interpretations of the law, as noted in the Orange County judge's decision about runaways. A more benign attitude appeared to prevail in the California press around mid and late March 1977. An abrupt about-face occurred in April, with the press once again expressing hostility to the legislation and the implementation efforts. On 1 April, the Concord Transcript noted that police officers faced problems in dealing with runaways, and a representative of the Juvenile Division of the Concord Police suggested that new legislation was a "necessity" and an "absolute priority." On 6 April the San Gabriel Community Coordinating Council: "[AB 3121 was] put together piecemeal. It is too soon to tell the impact of the bill. [emphasis ours] We will just have to live with it." On 16 April, the San Mateo Times noted that local

police were pleased with AB 3121 but that "parents for the most part shocked, outraged and absolutely baffled by provisions of the law which essentially give their child [sic] the opportunity to misbehave. On 17 April the Bakersfield Californian noted the effect on parents by stating that, "AB 3121 has some California parents climbing the walls." "They [youngsters] can go who-knows-where....and the parents are helpless." In a rare burst of candor the Bakersfield newspaper concluded, "The real problem is that most counties were not prepared to implement the legislation and have no real rehabilitation program." On 28 April, the Oroville Mercury Register was calling AB 3121, "...a new law that prohibited law enforcement from putting out-of-control youngsters in the hall."

On 7 May the Clovis Independent and Tribune quoted a Clovis Police sergeant as follows:

"'There is some merit to the law,' he said, 'because it keeps runaways from 'hardcores' but what are you going to do with the hardcore.' We can't restrain them, so they can just leave. What do you do with the hardcore, 14 year old who commits murder or armed robbery?' he said. 'How do you explain to the public that a 14 or 15 year old who has committed murder and maybe ripped off 20 to 30 homes is back on the street?'"

This obviously fallacious interpretation of AB 3121 was offered by a police sergeant after more than four months of the new law, and a newspaper printed this misinterpretation.

On 10, 11, 12 May the Oroville Mercury Register ran a series on the consequences of AB 3121 describing in detail the problems of parents of a runaway who "have been forced to file criminal charges against their daughter to keep her in the hall and help her. [emphasis ours]. This article further states: "The problem is that there are not enough [rehabilitation] programs and they have not proven effective."

On 11 May, the Woodland Democrat revealed that Yolo County was "already reeling financially from the implementation of controversial AB 3121...." On the same day, the Kearney Mesa Sentinel voiced the opinions of local juvenile and school authorities who advocated that 14 year old prostitutes, 15 year old incorrigibles and 13 year old chronic truants should be in Juvenile Hall, but noted that "a new state law says no." Finally on 24 May,

the Newport Beach Daily Pilot stated editorially that too many youngsters were taking advantage of the unlocked doors by walking out, and concluded that "a good idea went wrong."

An analysis of media coverage during this interval does not support the Unit's assumption that there would be a lessening of hostility by local officials, law enforcement and juvenile personnel toward AB 3121. The emphasis shifted from the financial woes incurred because of AB 3121 (only one newspaper mentioned a county's fiscal problems) to the social problems, e.g., parental dissatisfaction, high numbers of children leaving non-secure facilities, problems of police and/or juvenile authorities. Even so, these articles were notable for their omissions, contradictions, and distortions. Several articles speak to the numbers of children who walk off but none quoted absolute figures. Several articles confused delinquent with status offenders, or misread the law so that AB 3121 appeared to be gentle in its treatment of youthful murderers, burglars, and prostitutes, permitting these offenders to do as they pleased. Two articles reviling the social consequences of AB 3121 acknowledged a lack of preparation in some counties in spite of the fact that the legislation was to start on the first of the year.

The shift in negative reporting in the press from the fiscal to the social aspects, leads to the following conclusions:

1. The early view that AB 3121 would be a severe financial burden on the counties appears to have been moderated.
2. The social view that AB 3121 is lenient on juvenile offenders is inaccurate.
3. The view that children are running wild to the dismay of parents has not been documented in any empirical sense.
4. Some counties may indeed be in a chaotic state as a result of implementing AB 3121 but that appears to be a consequence of poor planning or a lack of planning in those counties.

Santa Clara County Media Coverage

In only one county (Santa Clara) has the press reversed its point of view. As discussed above, the San Jose Mercury-News had early editorial concerns about AB 3121. This editorial was subsequently reprinted in several other newspapers, for example, the Auburn Journal of 2 February. In the spring, the MHSOC Newsletter printed a generally sympathetic portrait of the County's efforts to implement AB 3121: "County response to the new law was to hire

Hirano, and set a program in motion that would coordinate service and evaluate and determine what was needed County-wide to meet these problems."

On 21 July, the Palo Alto Times printed a letter to the editor from Barbara Emerich, who wrote in part: "kudos to you...for the first article discussing the positive effects of.....AB 3121. By preventing the locking up of 601's..., AB 3121 encourages creative alternatives to detention."

On 25 July, the San Jose News headline read: "No Spurt in Youth Crime Under New Juvenile Law." This is in direct contrast to the fears expressed by Judge Premo in early February that AB 3121 might permit youngsters to be drawn into criminal behaviors. The article also quotes Dr. Diane Everstine, Director of the Emergency Treatment Center to the effect that of 111 youngsters placed by the agency in 1976, only 2 ran away. While this evidence is based upon the year before the AB 3121 legislation, it is the first mention of any empirical data directly bearing upon the problems of runaways, and there is a strong suggestion that the often repeated notion of youngsters causing social upheavals by their runaway behavior is not true.

Finally, County Supervisor Dominic Cortese stated that Santa Clara County had, as early as 1967, begun to divert youngsters from the criminal justice system.

Summation

Most counties, as manifested in their local press, have continued to oppose AB 3121, shifting their criticism from financial concerns to societal concerns. In only one county has the press shifted from a negative position (both financial and societal) to a positive one, and that county is Santa Clara. The Unit offers the following possible reasons for this phenomena:

1. Santa Clara County, through foresight in developing early juvenile diversion programs didn't face the organizational chaos manifested in less prepared counties.
2. Some empirical data on the impact of the law was made available, and although incomplete, it is nonetheless better than either anecdotes or predictions in news reporting.
3. Mr. Hirano's zealous campaign to provide the media with a balanced viewpoint of the positive aspects and shortcomings of AB 3121 has been successful. The Unit feels that the negative view of AB 3121 which has continued in other newspapers compared to the shift from a negative to positive viewpoint in Santa Clara press lends support that he has been successful in this part of his media campaign.

POLICY AND PROCEDURE

Countywide Perspective

The policies and procedures which have guided the implementation of AB 3121 in the County originate from different and frequently disparate sources, reflecting the philosophy and orientation of the agencies which have a role in the juvenile justice continuum. County policies which existed prior to 1977 helped to shape the AB 3121 Implementation Plan with its major emphasis on status offenders. Such policies defined the Juvenile Probation Department's role in fostering alternative community based diversion of offenders in the past ten years and were incorporated in the development of Youth Service Bureaus, the Pre-delinquent Diversion Project and the Community Release Project. These activities anticipated some of the provisions of AB 3121 and in part allowed for implementation of the new legislation with minimal "impact."

Although the Juvenile Probation Department was instrumental in the development of the Pre-delinquent Diversion and Community Release projects, an early policy decision by the County Board of Supervisors placed responsibility for organizing the AB 3121 response with the County Executive, whose staff coordinated planning program elements with the Regional Criminal Justice Planning Board staff. At an early stage, a general policy statement was promulgated by the Executive as follows:

1. The County's plan for implementing the provisions of AB 3121 pertaining to status offenders and alleged status offenders (minors described by Section 601 of the Welfare and Institutions Code) aims to enable the community to serve the needs of these minors and their families and thereby avoid the necessity for their involvement with the juvenile justice system. The County also seeks to reduce any justice system involvement that does occur. The intention of the County is to utilize existing community resources as much as possible in the prevention and amelioration of 601 behavior, and to foster the development of additional community resources when the need is indicated.

This policy was further refined with the identification of the Child and Adolescent Advisory Commission to provide policy guidance, as stated in the grant

application:

2. Policy Guidance

It is the County of Santa Clara's intention to assure continued public participation in program implementation. Subsequently, policy guidance for implementation is to be provided by the Santa Clara County Child and Adolescent Advisory Commission. The ordinance establishing the Commission specifies that:

...the general purpose...is to provide policy guidance, set priorities, develop an overall plan for the delivery of service, and establish effective working relationships with the various organizations and individuals concerned with child and adolescent problems in Santa Clara County....

In addition, the ordinance charges this advisory body with "powers and duties" including, but not limited to, the following:

Identify problems and needs affecting children and adolescents in the County, establish goals, objectives, and program priorities, and support and assist programs and projects proposed by public and private entities to help resolve such problems and needs.

The final iteration of County policy with respect to emphasis on status offenders came with the Resolution for the grant:

3. "WHEREAS, the Board of Supervisors of Santa Clara County has gone on record in support of the position that status offenders should be removed from the Juvenile Justice System and that serious consideration should be given to alternatives; and

WHEREAS, it is the intent of AB 3121 that status offenders shall no longer be kept in secure facilities but rather served in the community;..."

At the same time County policy and emphasis was being defined, the Juvenile Probation Department, through a series of written memoranda organized new policy and procedures to conform with the legislation. These concerned the identification of non-secure bed spaces and the development of screening procedures at Juvenile Hall intake to insure de facto physical separation of status offenders from delinquents.

Specific written policies were not developed by the Court, District Attorney or Public Defender. Existing operational mandates were considered sufficient in addition to those expressed or implied in the W & I Code and AB 3121.

Law Enforcement Policy

County law enforcement agencies have always maintained discrete policies and procedures in the management of juvenile justice matters, reflecting local interest and community needs. This was especially noted during the development of the Pre-delinquent Diversion Project which saw disparate diversion rates among the different departments.

In December 1976, the Santa Clara County Law Enforcement Executive Council (LEEC), a group comprised of law enforcement and corrections agency heads approved policies for local police agencies in handling juveniles under the provisions of AB 3121. These were adopted by all law enforcement agencies and were incorporated into existing policies. The complete policy statement is reproduced below:

No minor under the age of 18 shall be delivered to the Probation Officer solely upon the grounds that he/she falls within the provisions and description of Section 601 of the Welfare and Institutions Code unless the following conditions have been met:

1. There is a signed statement
 - a. By the parent that he/she refuses to accept the minor in the family home;
 - or
 - b. By the minor that he/she refuses to return to the family home.

When there is a parent or guardian available, they should be advised to follow the officer to Juvenile Probation.

2. There is no family friend or relative with whom the minor may temporarily reside and there is a statement to this effect.
3. The minor clearly does not fall into either the delinquent (602) or dependent (600) categories and there is a statement to this effect.
4. Parents and minor have both been informed that all cases so referred will be petitioned before the Superior Court.

In addition to the above, the following requirements are necessary:

1. Minors under the influence of a drug, alcohol or other unidentified substance should be referred under the appropriate delinquent category.
2. Minors who are runaways from other counties or states should be referred under the appropriate Vehicle or Penal Code sections, as and if appropriate.
3. A strict review process will be initiated within each police department at the management level on any status offender prior to admission by line police officers.

4. Minors who are runaways are not appropriate subjects of custody referrals to the Juvenile Probation Department as those referred must be received in a non-secure environment.

Referrals that do not fall within the above limitations should be referred to appropriate community agencies, both public and private, for problem resolution.

The following policy decisions have been agreed upon on December 15, 1976 by the Law Enforcement Executive Council.

1. When a minor is delivered to Juvenile Hall, police reports containing sufficient information upon which the District Attorney can file a Petition must accompany the minor.
2. Formal applications (affidavits) for Petitions will be used by Probation Officers when a 602 Petition is requested of the District Attorney. The District Attorney is in the process of developing the form that the affidavit will take.
3. Formal applications for Petitions will not be used by police agencies.
4. Whenever there is disagreement between a Police Officer and a Probation Officer regarding the filing of a Petition, the following steps should be taken:
 - a. The Police Officer should review the case with his supervisor;
 - b. if further action is deemed necessary by the Police Officer's Supervisor, the Police Supervisor should contact the Probation Supervisor and attempt to resolve the issue;
 - c. if the issue is not resolved following a. and b. above, and only then, a discussion of the case should be held between the Police Officer, the Probation Officer, and the Supervising Deputy District Attorney. The Supervising Deputy District Attorney, as the petitioner, will make the final decision regarding the filing of a Petition.
5. Any case review regarding the issue of a minor's fitness for Juvenile Court action shall be reviewed by the Supervising Deputy District Attorney.
6. This committee will meet 90 days after the implementation of AB 3121 to review approved policies and procedures.
7. The District Attorney will appear in Court on *all* 602 W & I code cases - Detention, Jurisdictional, Dispositional Hearings -- starting January 3, 1977.

PROCEDURE FOR REFERRAL OF STATUS OFFENDERS TO
JUVENILE PROBATION DEPARTMENT

- I. Between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, minors will be brought to the Screening Unit located in the main part of the building.
- II. Between the hours of 5:00 p.m. and 8:00 a.m., minors will be brought to the Admissions door where the minor will be identified as a Status Offender. Referring party will be directed to the side door of the main building. There, Probation and Detention staff will meet the referring party. Appropriate staff assignments will be carried out in the office of the Court Unit Supervisor.
- III. Transportation of minors to receiving homes will be negotiated with referring party and department staff.

LEEC has continued its role in developing consistent policies for juveniles, and on March 10, 1978 approved the following amendment to the above policies:

No minor under the age of 18 shall be delivered to the Probation Officer solely upon the grounds that he/she falls within the provisions and description of Section 601 of the Welfare and Institutions Code unless the following steps have been taken:

1. Law enforcement agencies will make all reasonable efforts to refer a minor and/or his family to a private organization designed to handle these types of problems. Organizations operating for this purpose are: Emergency Treatment Center (West Valley and North County), Alum Rock Counseling Center (San Jose, East Valley and South County), and Wilson Center (City of Santa Clara and, if space permits, any other County jurisdiction).
2. If referral to one of the above organizations is not feasible, then a signed state must be obtained
 - a. by the parent, that he/she refuses to accept the minor in the family home;
 - or
 - b. by the minor, that he/she refuses to return to the family home.

Also under consideration but not yet approved at this writing, is a LEEC policy to reduce discretionary authority of individual law enforcement agencies and insure that certain factors be considered in determining whether there is reasonable necessity for detention to protect the public and/or urgent necessity to detain a minor for his own protection.

It appears likely that the LEEC effort to develop more consistent juvenile justice standards in the County will succeed; certainly an important impact has

been noticed in the availability of written policies which were not to be found in fully half of the County's law enforcement agencies when this problem was explored in an independent RCJPB study in 1975. (See Table 1).

WRITTEN GUIDELINES		
DEPARTMENT	1975	1977
Campbell	not available	yes
Gilroy	not available	yes
Los Altos	not available	none*
Los Gatos	Juvenile Procedures Manual	yes
Milpitas	selected memos, guidelines in revision	yes
Morgan Hill	not available, guidelines in revision	yes
Mt. View	Police Department Manual	yes
Palo Alto	General Order Manual	yes
San Jose	Field Officer's Guide	yes
Santa Clara	selected memos	yes
Sunnyvale	not available	yes
Sheriff	not available	yes

Table 1 Availability of Written Guidelines, 1975 and 1977

*The Los Altos Police Department has not formalized its juvenile policy in writing but confirms that all departmental procedures are in accord with the LEEC guidelines of December 1976.

It is not possible to determine that AB 3121 alone was responsible for the development of new policy. Certainly, it created an awareness in those agencies with large staffs of the need to formalize procedures to a greater degree than had been the case before. The Courts, District Attorney and Public Defender were apparently able to organize new or additional tasks with existing guidelines and adapted ongoing procedures to the mandates of the legislation.

The first Interim Report detailed juvenile procedure (pp. 10-40) and this information will not be repeated.

Some generalized conclusions may be inferred from the data assembled apart from any effort to compare or quantify policies.

1. Although promulgated local policy has emphasized the portion of the legislation concerned with status offenders and this has been the major focus of the AB 3121 Implementation Plan, the County has responded quietly and directly to increase DA and PD staffs to support the increased delinquent workload. An additional department may ultimately be added to the Juvenile Court.
2. The agencies without specific direct written policy (DA, PD, Court) regarding AB 3121 appear to be capable of consistent activity and staff have demonstrated the least discomfort in coming to terms with the new legislations' mandates.
3. The Juvenile Probation staff appears to have experienced the most significant problems with the new policies and adjusting activities accordingly. Especially mentioned in negative terms by probation staff are the activities of the DA (seen largely as a usurpation of traditional probation officer prerogatives), the general movement toward criminal process in the Juvenile Court, and losing control of a large number of status offender cases.
4. Law enforcement agency staff seem to have responded to AB 3121 in a pragmatic and organized manner and share the County's emphasis on the aspects of AB 3121 that affect status offenders. This is reflected in the early LEEC policy and in interviews where the preponderant majority of supervisory and line officers saw AB 3121 as legislation to deinstitutionalize status offenders, with little or no mention of other aspects of the Bill.

In general, field officers are under pressure to not identify status offenders in most departments, a situation arising from the additional

work with parents and community agencies and a feeling that status offenders can not be placed under controls either by the officer or the Court. However, at least three police agencies have made a strong commitment to perform extended services for these youth while one police department has aggressively pursued a no contact policy with status offenders. Past and current efforts by LEEC are directed toward standardizing law enforcement policies in the County, but there is evidence that field officers are applying different criteria in their contacts with juveniles. Insofar as each department will continue to be responsive to local community concerns, such standardization attempts will necessarily be diluted by local interpretation and the discretion of each individual officer will continue to determine the course of action for juveniles involved in criminal or noncriminal activity. This will be discussed in more detail in the following section.

Overall, there appears to be minimal disparity in Santa Clara County between the ideology and the plan of action in the implementation of AB 3121. As a year during which many traditional activities underwent significant changes including jurisdictional transfers and realignment of authority, these were accomplished with very little disruption and a fairly high level of interagency cooperation. Early indications point toward an interest in more communication between agencies (the DA has developed a training course in juvenile court law for Juvenile Probation Department staff). Certainly, interagency relationships and ultimately job performance will be improved if all personnel understand their own policies as well as those of other agencies in the juvenile justice system.

VII

THE CLASSIFICATION OF YOUTH

Classification of juveniles has always been a sensitive matter insofar as labeling has far reaching consequences and is often determined by law enforcement and juvenile probation personnel in a subjective decisionmaking process that does not usually come under review.

No issue related to AB 3121 has been more controversial than the labeling of youth and the possibility that classifications have changed since January 1, 1977. The range of statements on the classification of youth is quite variable. For example, here are two quotes both from top level Juvenile Court officials: "There has been no re-classification of youth"; "In some cases the line between 601 and 300 is not clear and in those cases that seem to be little of both, relabeling does occur." The subjective statements illustrate the diversity of opinion concerning the practices of police and probation officers in classifying youth. It should be pointed out that the majority of the criminal justice personnel interviewed (approximately 96 of 145 or 66 percent) believe that there is no difficulty in classifying youth as either 300, 601 or 602. Yet there is evidence that the labeling, housing and processing of cases which would have been status offenders pre AB 3121 have now changed. The classification and subsequent housing differences since AB 3121 may occur as a result of:

- a. Classification at intake or by police of a child with a family centered problem as a 602 for a minor criminal offense.
- b. Bed space limitations causing intake and police personnel to classify 601's as 300's (juveniles can then be housed in the Children's Shelter).
- c. Frequent runaways from non-secure facilities which may be re-classified 602 so that they can be held in a secure facility.

A. POLICE OPINION

1. Police Administrators

Fourteen of fifteen police agencies expressed no difficulty in distinguishing between 300's, 601's and 602's and claimed that the law made the distinction clear-cut. One police department administrator noted "individual problems with individual officers." All departments face some "fine-line" situations that require the officer to

make judgement calls.

It is worthy of note that this question also invariably brought out a discussion on the phenomenon of "escalation" of charges in situations where original 601 cases (i.e., runaway or beyond control) were actually classified as 300 or 602. Curiously, the term escalation, which implies movement to more serious levels, (i.e., 602) was used to denote movement to either 602 or 300 categories. Eleven department administrators noted that their officers did not escalate 601 cases to either category and that supervisory officers examined each case to insure that the proper classification had been made. One police administrator said some 601's will become 602's if after investigation, evidence of drug abuse is found.

Another administrator mentioned that "grey areas" between 601 and 300 classifications will be resolved in favor of the minor. For example, if a 601 case alleges abuse, he is called a 300 for his benefit; if it turns out that 300 claims were unjustified, Juvenile Probation might reclassify him to 601. This change in classification was presented as an improvement over pre AB 3121 methods.

2. Police Line Officers

In response to questions about the classification of youth, more than 80 percent (58 out of 72) of police line officers interviewed replied that there was no difficulty in classifying youth as either 300, 601 or 602. Almost half of the officers (31) independently suggested that youth might be labeled somewhat differently since AB 3121, however.

Each of the 31 police officers who made this suggestion were presented two hypothetical situations as presented on page 50. From the diversity of responses, the difficulty and inconsistency of police decisions becomes apparent. Not only is the classification of the minor subject to individual officer discretion but also the decision to pursue alternative housing or referral options varies from one officer to the next. For both situations approximately 25-30 percent of the officers chose the expedient means of reclassifying the juveniles as 300 in one case or 602 in the other. Another 25-32 percent of the officers in each situation advocated a referral to some place other than the formal justice system, presumably a response more in keeping with the intent of AB 3121.

A minority (4) of all 72 officers interviewed volunteered that if,

in their opinion, a 601 needs to be securely detained, the officer will try to charge the minor with a 602 violation. Three officers said that since AB 3121, minor 602 offenses that would have previously been ignored now are bookable offenses, e.g., less than one ounce of marijuana.

HYPOTHETICAL CLASSIFICATION SITUATIONS

(31 police officer respondents)

Situation: A runaway is picked up by police; parents will not take back home; at JPD, the officer is told there is no more 601 temporary bedspace available. What would you do?

<u>No.</u>	<u>%</u>	<u>Response</u>
8	25.8 %	Child will be classified 601 or 300 and taken to Children's Shelter
8	25.8	Will find referral or relative or ask the parents to take back
8	25.8	Not sure/no answer
4	12.9	Ignore 601/let child go
2	6.5	Look for 602 offense
1	3.2	Give the child 300 classification and take to JPD
31	100.0%	

Situation: A truant is picked up and is extremely uncooperative with police officers; parents will not take back home. What would you do?

<u>No.</u>	<u>%</u>	<u>Response</u>
10	32.3 %	Take child back to parents or school
9	29.0	Book as obstructing justice (602) or some other 602 charge
4	12.9	Don't know what to do/no answer
4	12.9	Let 601 go or ignore child
2	6.5	Book as 601
1	3.2	Cite to YSB
1	3.2	Book as 300
31	100.0%	

1. PROBATION OPINION

1. Probation Administrators

Opinions on the subject of the classification of youth were equally diverse among Probation Administrators. Some felt that there are different classification decisions since AB 3121 and others denied emphatically that 601 youth are labeled 300 or 602 subsequent to the new legislation. One administrator in Juvenile Probation assured the Evaluation Unit that he has seen former 601 cases petitioned as 602's since AB 3121. Yet all three of the of the supervisors from Probation Supervision Sections assured the interviewer that there were no cases classed as 602 that they thought would have been 601 in the past.

The area between 300 and 601 is much more cloudy and borderline; cases were often informally referred to as "601½" in the past. (Dependent cases were 600 rather than 300 in the recent past; hence 600½ indicates something in between a dependent and status offender case.) It is safe to conclude that the practice of applying the dependent label to what once was a status offender case is a very real possibility since AB 3121.

Several supervisors from Screening Intake and Investigation indicated that the police will bring in a minor as a 300 to aid a family experiencing crisis, especially when there are no beds available at one of the non-secure facilities. One respondent from Intake and Investigation pointed out that a 601 petition is easier to sustain than 600, hence the status offender label was used for expediency in the past. With AB 3121 and the removal of sanctions on 601 charges, the 300 category has become the expedient classification.

Supervisors from the Children's Shelter and Juvenile Hall tended to agree with this explanation; one respondent added that girls, particularly, were more likely to be classified as 300's since police do not like to lock them up.

Several Supervision Unit Supervisors suggested that some of the present 300 cases would have been 601's pre AB 3121. Further, some petitions are now being processed where 601 is crossed out by the Intake P.O. and 300 is put in its place.

2. Probation Line Personnel

Half of the respondents (17) stated that an intake probation officer or investigation officer might try to convince a police officer to book a 601 child as a 602, even though the alleged criminal offense is considered minor. It was estimated by one individual that, based on observation of his personal caseload, this type of escalation occurred with one client every two weeks. It was noted by several subjects that the change in classification from 601 (pre-AB 3121) to 602 (post-AB 3121) is also made by the police. For example, a runaway may harass the officer who consequently upgrades the charge to 602 based on interference with an officer in the line of duty. The comments are substantiated by reports from secure facility respondents.

Although ranch administrators firmly believe that all youth committed to the ranches since January 1977 are truly law violators and do not appear to be status offender cases, line personnel at the ranches estimate that approximately 16 percent of their present caseload would have been classified 601 pre-AB 3121.

Juvenile Hall counselors estimated that approximately 10 percent of their caseloads would have been 601's prior to AB 3121. This is not inconsistent with administrator's statements from Juvenile Hall.

With regard to the possibility of greater use of the 300 label since AB 3121, many of the Probation line personnel sampled (80 percent of the intake respondents and 100 percent of the Children's Shelter respondents) noted that screening officers would classify a beyond control or incorrigible youth as a 300 if the temporary non-secure 601 bed space was full. This situation occurs at least one to two times a week, according to several probation officers. Line personnel working at the ranches, in supervision, placement or other pre-court services (most of these positions do not deal with 300's) have no knowledge of the greater use of the 300 label, however.

A third type of change in classification since AB 3121 as described by a few probation officers is the practice of reclassifying a youth as 300 or 602 if he runs away several times from the non-secure facilities. Practically all probation officers and counselors

interviewed claimed that there are frequent runaways from non-secure facilities.

C. COURT PERSONNEL OPINION²

The judges and deputy D.A.'s agreed that there has not been a problem in defining cases as 300, 601, or 602. The public defenders disagree and suggest that there are problems in the classification of youth.

One judge noted that in the past, 602 cases had been overlooked and that if a child could have been brought to court as a 601 this was the classification used. However, AB 3121 serves to make the distinction between 601 and 602 clearer, and the greater use of the 602 label is proper. The rationale for this, according to one deputy D.A., is that the court can only supervise 602 cases now. The Public Defender's attorneys are seeing cases of family disputes labeled as 602's.

The possibility of increased use of the 300 label is hotly contested by court personnel. The staff of the Public Defender pointed out an increasing concern on the part of the P.O., police and community to be more willing to protect a child and to bring them to court as 300's. Other explanations given for the increase in 300 referrals, other than AB 3121 are:

- District Attorney's Office public statements of willingness to vigorously prosecute neglect cases.
- Sexual Abuse Unit's publicity leading to increased tapping of a large, pre-existing problem population which until recently people have been loath to report.
- Cyclical patterns of 300 referrals.

D. REFERRAL DATA

The following supportive data is evidence that some cases, once classified as 601's, are still referred to the Probation Department but called 300's since January 1977. It is important to note that the full magnitude of changes in referral data since AB 3121 is not necessarily exclusively the result of the new legislation.

1. Status Offenders

An analysis of Juvenile Probation Department statistics reveals that 601 referrals constituted over 10 percent of the Department's referrals in 1976, whereas in 1977 only 3 percent of all referrals

² Court personnel interviews include two judges, one justice, four deputy District Attorneys and four attorneys for the Public Defender.

were 601's. The number of status offender referrals dropped from 2432 in 1976 to 765 in 1977 or - 68.5 percent change.

An examination of status offender referrals over a five year period, 1972 through 1976, illustrates the dramatic decrease observed in 1977. The number of status offender referrals in 1977 (765) was 66.2 percent less than the expected number (2263) if the trend of the previous five years had continued. Although the youth population in Santa Clara County is decreasing, this has not been a major influence in the drop of status offender referrals, i.e., Figure 1 shows essentially the same trend in referrals by number or rate per 1000 juveniles.

2. Dependent Referrals

To conclude that the drop in status offender referrals is consistent with the legislative intent of AB 3121 is shortsighted. Three-hundred referrals accounted for 11 percent of the Department's referrals in 1976 and 15½ percent in 1977. The longitudinal study of dependent referrals presents firm evidence that 300 referrals have not been gradually increasing in the past few years as Juvenile Justice administrators suggest. Since January 1977, concurrent with the implementation of AB 3121, the 300 referral rates increased almost as rapidly as 601 referrals dropped (Figure 1). The number of dependent referrals in 1977 (3439) was 32.3 percent greater than the expected number (2600) based on the trend of the previous five years.

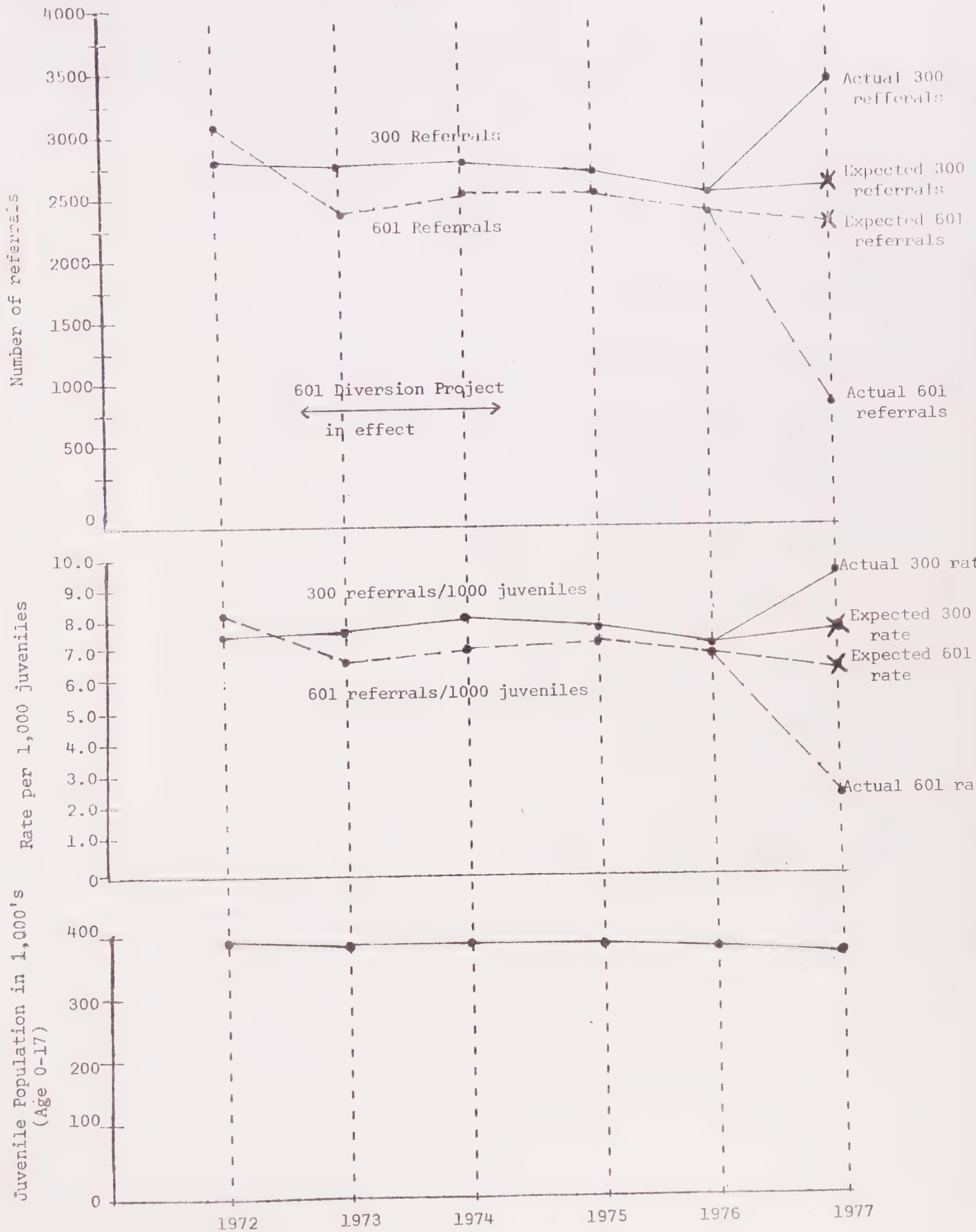
3. Children's Shelter

The dramatic change in Children's Shelter population and problems being manifested provides supportive evidence that some of the 601 population once housed in Juvenile Hall are now classified as 300's and referred to the Shelter.

Facts that support this conclusion are:(Table 2)

- The number of runaways from the Shelter grew enormously (by 262 percent) since AB 3121 was implemented.
- The total number of admissions increased by 22 percent while the average length of stay decreased by 13 percent.
- Female admissions to the Shelter increased more than twice as fast as male admissions. In previous years, two thirds of the runaways handled by JPD were female and 40 percent of all 601 referrals to the Department were for runaway offenses.

FIGURE 1
300 and 601 Referrals



•The average age in the Shelter is somewhat higher (5.9 percent). Typically, the 601 problem is found among youth ten years of age and older, whereas, 300 problems are often found among the very young.

Faced with this influx of new admissions, the Shelter found beds to house their charges by cutting the length of stay and using temporary placements elsewhere. The number of juveniles on temporary leave increased from 127 for 1976 to 267 for 1977, in increase of 110 percent.

The problems caused by the recent increase in runaways from the Shelter is particularly vexing; upon closer analysis the following facts were uncovered (Table 2):

- There were 239 runaway incidents from the Shelter in 1977 compared to 66 for 1976.
- 153 individuals were responsible for the 239 incidents in 1977 or 1.56 runaways per individual. In 1976, 58 individuals accounted for 66 incidents or 1.14 runaway incidents per individual.
- The disposition of runaways from the Shelter shows a greater number of returns in 1977 (54.8 percent) than 1976 (31.8 percent) and very few (1.7 percent) were sent to the Hall in 1977 compared to 37.9 percent in 1976.

The examination of runaways logs indicates that placing some of the runaway problems (601's) in the Shelter may have begun as early as October 1976 in anticipation of AB 3121. Runaway incidents rose 300 percent in late 1976 over the first half of that year:

Table 2

Runaways from Childrens' Shelter 1975-77

		<u>Runaway Incidents</u>	<u>% change from previous period</u>
July-December	1975	11	
January-June	1976	13	+ 18.2%
July-December	1976	53	+307.7%
January-June	1977	142	+167.9%
July-December	1977	99	- 30.3%

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During the first half of 1977 the number of runaways increased to an all time high of 142 incidents, but during the last half of 1977, the number decreased to 99. The situation may have stabilized somewhat with the increase in diversion to community services, further education of patrol and probation officers, or the contracting for more non-secure bed space for 601's.³

4. Arrest and Police Disposition Data

During calendar year 1977 felony arrests declined by .88 percent, misdemeanor arrests increased by 3.1 percent and delinquent tendency arrests decreased by 38.6 percent. These statistics derived from the State Bureau of Criminal Statistics (BCS) reflect arrests county-wide, using 1976 as a comparative base. Projections based on a five year trend indicated that an increase was expected in the felony category, and that a larger increase would occur in the misdemeanor category. The delinquent tendency arrests declined as expected. There is no apparent reason for the downward shift in felony arrests. The statistics indicate a slight overall reduction in serious juvenile criminal offenses. For a complete breakdown of juvenile arrest and disposition by offense and jurisdiction see appendix c pages ii-vii.

5. Law Violators

During 1976, the Probation Department received 18,055 referrals classified as 602's which accounted for 78.4 percent of the Department's total referrals. In 1977, 17,952 referrals classed as 602 made up 81.0 percent of the Department's referrals. Although there were shifts in the type of referral, i.e., fewer new referrals and new cites and more re-referrals, the changes do not appear significant.

6. Juvenile Hall

The change in characteristics of those housed in the Shelter can be compared to a shift in the opposite direction in the Juvenile Hall population: (Table 3)

--The total number of admissions decreased by 20 percent.

--Female admissions to the Hall decreased more than three times as fast as male admissions. Traditionally, a majority of the status offenders have been female.

³ Probation administrators have recently made efforts to discontinue the use of available bedspace as a criterion for classification decisions.

Although length of stay data for the Hall are not available, a comparison of the ratio of admission to child care days pre and post AB 3121 shows an increase of 26 percent since January 1977. This rough indicator implies that minors housed in the Hall since AB 3121 may be staying 25 percent longer.

The table on the following page indicates the offense type for minors housed in Juvenile Hall pre and post AB 3121 in rank order. Incurability, which ranked second in 1976, fell to eighth in 1977 as a result of AB 3121. None of the Hall residents was classified as a runaway in 1977 and this category ranked fourth in 1976. Also affected was sixth ranked violation of a court order which moved up to third. Also, burglary and theft and receiving stolen property moved higher in the rank order in 1977.

Two indexes of seriousness of the offenses were calculated based on Sellin and Wolfgang's delinquency index⁴ and modified BCS order.⁵ The Sellin and Wolfgang delinquency index takes into account the seriousness of an offense as rated by university students, police officers, juvenile aid workers and juvenile court judges. Each offense was weighted by some factor which reflects the seriousness with which that offense was regarded by the raters.

The Hall data were not collected in a way which allows precise application of the weights prescribed by Sellin and Wolfgang. The approximation assigned the following weights: homicide 27, rape 11, robbery 3, auto theft 3, assault 2, burglary 2, and all other 1.

⁴ Thorsten Sellin and Marvin E. Wolfgang, "Weighing Crime" Constructing an Index of Delinquency: A Manual, Philadelphia, Center for Criminological Research, 1963.

⁵ The modified BCS order of seriousness ranked the offenses in the following order with a descending weight starting with 23: homicide, rape, robbery, assault, burglary, auto theft, theft or receiving stolen property, arson, forgery, other sex, narcotics, marijuana, dangerous drugs, possession of weapon, drunk driving, hit and run, runaway from placement, liquor law, disturbing the peace, glue sniffing malicious mischief, traffic violation, and violating court order. When 601 offenses were included, they were given a weight of 1.

Table 3: Juvenile Hall Population by Offense Type

	<u>1976</u>			<u>1977</u>			
	Total	Percentage	Rank	Total	Percentage	Rank	% Change
Burglary	1438	16.72	1	1370	22.35	1	- 4.7
Incorrigibility	1206	14.02	2	177*	2.89	8(9)	- 85.4
Theft & Rec. St. Prop.	1137	13.22	3	1051	17.15	2	- 7.6
Runaway	1016	11.82	4	0	.00	27	-100.0
Assault	463	5.38	5	495	8.08	4	+ 6.9
Violation Ct. Order	432	5.02	6	542	8.84	3	+ 25.5
Marijuana	415	4.83	7	279	4.55	7	- 32.8
Auto Theft	398	4.63	8	484	7.90	5	+ 21.6
Liquor Law	302	3.51	9	338	5.51	6	+ 11.9
Runaway from Place.	288	3.35	10	102	1.66	16	- 64.6
Vag. & Curfew	253	2.94	11	163	2.66	10	- 35.6
Malicious Mischief	227	2.64	12	161	2.63	11	- 29.1
Robbery	181	2.10	13	177	2.89	9(8)	- 2.3
Dangerous Drugs	150	1.74	14	155	2.53	12	+ 3.3
Traffic Violations	138	1.60	15	51	.83	17	- 63.1
Possession of Weapons	135	1.57	16	114	1.86	13(14)	- 15.6
Drunken Driving	127	1.48	17	114	1.86	14(13)	- 10.3
Disturb. Peace	97	1.13	18	113	1.84	15	+ 16.5
Other Sex Off.	44	.51	19	46	.75	18	+ 4.5
Narcotics	30	.35	20	26	.42	24	- 13.4
Forgery & Checks	28	.33	21(22)	37	.60	19	+ 32.1
Arson	28	.33	22(21)	34	.55	21	+ 21.4
Glue Sniffing	15	.17	23(24)	35	.57	20	+133.3
Rape (forcible)	15	.17	24(23)	30	.49	22	+100.0
Hit-Run	14	.16	25	27	.44	23	+ 92.8
Truancy	13	.16	26	1	.02	26	- 92.4
Homicide	9	.10	27	7	.11	25	- 22.3
Total	8,599			6,129			

Data for mid-January through mid-December for each year

*Incorrigibility includes beyond control of parents, improper company, insubordination, behavior problem in school, false fire alarms, cruelty to animals, resisting an officer, sheltering runaways (some are 602 offenses).

While the number of admissions to the Hall decreased by 20 percent, the overall seriousness index increased from 1976 to 1977 as status offenders (the offender considered least serious) are no longer housed in the Hall. Using the Sellin and Wolfgang index, overall seriousness increased 14 percent; the seriousness increased 34 percent with the modified BCS order.

If some minors who would have been classed as 601's prior to AB 3121, were referred as 602's subsequently, the less serious 602 offenses would normally show an increase and a decrease in seriousness would be observed. Hence, statistical evidence of this escalation could be found by first, dropping the 601 offenses from the analysis so as not to skew the results, and second, looking for a decrease in seriousness among the remaining 602 population. This technique resulted in a 4½ percent increase in seriousness when the approximation of the Sellin and Wolfgang index was applied; the modified BCS index, showed a decrease in seriousness of 10½ percent. The inconsistent results lead to the conclusion that, if there is an escalation of 601 cases to 602 since AB 3121, these minor offenders are not necessarily part of the Hall population or the escalation has not occurred often enough to influence the statistics. Certainly, the relatively new practice of using the Hall as a disposition (sometimes for a series of weekends) may greatly influence these conclusions.

7. Non-secure 601 Placement

Between January 1, 1977, and March 1, 1978, there were 556 individuals housed in 601 non-secure detention in the community. The Department contracts for bedspace in licensed foster homes for the 601 youth. Of the 556 individuals (411 girls and 145 boys), 423, or 76 percent, remained in the non-secure homes, i.e., did not runaway. The runaway pattern from the non-secure homes shows 133 individuals responsible for 177 incidents of runaway or 1.33 runaways per individual having run at least once:

Times	Number of Individuals			Number of Runaway Incidents
	Boys	Girls	Total	
1	29	80	109	109
2	2	10	12	24
3		7	7	21
4		3	3	12
5		1	1	5
6		1	1	6
Total	31	102	133	177

In comparison to the Shelter statistics, the percentage of the population at the Shelter who run away is much smaller than the number running away from non-secure facilities, but of those who run away at least once, the recidivism factor is larger at the Shelter than from non-secure facilities since AB 3121 (1.56 for the Shelter compared to 1.33 for the non-secure facilities).

Three patterns of recidivism, although not mutually exclusive, were observed among the 556 individuals in non-secure facilities during this 14 month period. Minors who were readmitted as active runaways from 601 homes numbered 41:

<u>TIMES</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Boys	3	2		
Girls	22	8	5	1
TOTAL	25	10	5	1

Minors who were released and readmitted for 601 violations numbered 10:

<u>TIMES</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Boys	6			
Girls	4			
TOTAL	10			

Minors who were both released and readmitted and readmitted as runaways from 601 homes numbered 5:

<u>TIMES</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>
Boys	none			
Girls	4	1		
TOTAL	4	1		

Because this is a new program, there is little information available on impact. No additional data on disposition of runaways from non-secure facilities were available. Therefore, no statistical evidence has been uncovered that shows that frequent runaways from non-secure facilities become 602's. In any event, this phenomenon would occur in a very small number of cases as only five juveniles ran away more than three times.

The Juvenile Probation Department on two separate occasions at ten week intervals surveyed the cases of youth housed in non-secure shelter case homes awaiting court action. Of the 29 cases reviewed, 27 (93 percent) have had referrals to private agencies prior to being referred to the Probation Department. The most frequently used community agencies are Emergency Treatment Center, Alum Rock Counseling Center and Children's Acute Psychiatric In-Patient Program. The two cases with no prior referrals refused to accept the private services which were offered.

could be somewhat alleviated by the establishment of classification and referral guidelines that would enhance police and probation decisions and establish an efficient and consistent approach to the juvenile problem.

VIII

COST ANALYSIS

A. INTRODUCTION

The legislature enacted Assembly Bill 3121 in part to protect the public from criminal conduct by minors and to impose on the minor a sense of responsibility for his own acts. To implement these goals, the law specifies procedures:

1. To remand older (16 - 17 year old) delinquents accused of certain crimes to the adult court
2. To clarify the role of the District Attorney
3. To apply Adult Court rules of evidence in the Juvenile Court.

This part of the legislation was enacted to improve the handling of 602's (law violators).

On the other hand, the legislature recognized that 601's (runaways, incorrigibles) are generally children exhibiting personal or parental conflict as opposed to behavior which would be a criminal act if committed by an adult (602's). The distinction between the needs of 601's and 602's resulted in a requirement in the law for separate detention of 601's and 602's. AB 3121 mandates that detention of 601's be in non-secure facilities and calls for the establishment of greater community based resources to resolve the problems of runaways, incorrigibles and those in conflict with their parents.

All identified costs are categorized as one of these two basic parts of the legislation - changes to the adversary process (602 costs) or alternatives for 601's. New costs associated with the processing of dependent cases (300's) are aggregated with alternatives for 601's based on evidence presented in section VII. The purposes of this cost analysis are:

- to identify all costs incurred pursuant to the implementation of AB 3121.
- to compare the costs of community based alternatives to services that might otherwise have been used.

The first objective is particularly important in light of two Assembly Bills (AB 84 approved and filed October 1, 1977, as Chapter 1241 and AB 90) that appropriate state funds to reimburse counties for costs incurred pursuant to Chapter 1071. Each appropriate \$18,000,000 from the General Fund to the State Controller for reimbursing costs incurred from January 1, 1977, through June 30, 1978.

The basis for determining costs for implementing the provisions of AB 3121 has varied depending upon the availability of data and the nature of the program or process being evaluated. In general, the costs developed involving the various County agencies have been derived by comparing workload indicators for 1976 and 1977. Occasionally, trends were observed going back as far as five years. Factors contributing to indirect costs were identified based on statistical trends and estimates of people closely involved with the process. Most costs to the County and municipalities relate to programs mandated by the legislation. Federal and state contributed grant monies have been identified and will not be claimed. Santa Clara has made many adjustments to implement AB 3121 and opportunity costs are included in the resulting costs.

EXIHIBIT 1

SUMMARY OF AB 3121 COSTS ASSOCIATED WITH ALTERNATIVES FOR 601's

JANUARY 1, 1977 - JUNE 30, 1978

	<u>TOTAL COST</u>	<u>FEDERAL CON- TRIBUTION (LEAA)</u>	<u>NET COST TO LOCAL JURISDIC- TIONS</u>
AB 3121 Project Costs			
Crisis Intervention			
Alum Rock Counseling Center	\$ 94,332	\$ 37,796	\$ 56,536
Emergency Treatment Center	49,371	32,040	17,331
Criminal Justice Resource System Training Component	32,500	29,250	3,250
Evaluation Component	16,500	14,850	1,650
Other Project Activities	93,752	84,377	9,375
Wilson House	125,576	110,851	14,726 ¹
SAY Crisis House	105,942	93,948	11,994 ²
Juvenile Probation Department			
Workload changes re: Operations Analysis ³	\$149,384		\$149,384
Non-secure Homes	141,518		141,518
Medical	1,711		1,711
Transportation	10,288		10,288
Deputies Travel	6,712		6,712
Management	9,553		9,553
Clerical	477		477
TOTAL	\$837,616	\$403,112	\$434,504

¹ Local support from City of Santa Clara (½ hard match)

² Local support from City of Mountain View (½ hard match)

³ \$149,384 is the net result of an increase of 300 cases justifying 6.4 more probation officers (with support and overhead costing \$367,714) and a decrease of 601 cases justifying 3.8 probation officers (with support and overhead saving -\$218,330) since AB 3121.

EXHIBIT 2
SUMMARY OF AB 3121 COSTS ASSOCIATED
WITH ADVERSARY PROCESS FOR 602'S
JANUARY 1, 1977 - JUNE 30, 1978

	COST
Juvenile Probation Department	
Workload changes re: Operations Analysis	\$ 465,324
Court reports and petitions	600
Forms, copies, duplication	456
Community Release Program	73,502
Conferences with District Attorney	74,054
Probation Officer Training	14,606
District Attorney's Office	215,170
Public Defender's Office	201,149
Superior Court - Juvenile Division	91,668
Sheriff's Office	53,219
Subpoena Processes ¹	16,879
 TOTAL	 <hr/> \$1,206,627
Reimbursement Request for	\$1,641,131

¹ Function and costs shared by JPD and Sheriff's Office.

B. COMMUNITY SERVICES AND AB 3121 PROJECT

The project entitled "Implementation of AB 3121 Plan Relative to Status Offenders" consists of several individual components organizationally coordinated and supervised by a Project Director, Robert Hirano. The total project budget is \$220,348 of which \$198,313 are federal funds and \$22,035 County hard match.⁶

A major emphasis of the AB 3121 Project was to augment community-based crisis intervention projects for the anticipated increase of 601's diverted from the juvenile justice system. Direct service contracts with Emergency Treatment Center and Alum Rock Counseling Center enlarged their programs to meet the needs of diverted youth.

1. Alum Rock Counseling Center (ARCC)

The Alum Rock Counseling Center (ARCC) is a community-based non-profit corporation providing a variety of personal and community services. It was incorporated in 1972 and concentrated on meeting the needs of low-income adolescents and their families, with a focus on the Spanish speaking residents of Alviso, Milpitas, East, Central and South San Jose and Southern Santa Clara County. ARCC has provided Juvenile Diversion Counseling since 1973 and since January 1, 1975 has operated a 24-hour Crisis Intervention Project for adolescents and their families as one of three centers funded from General Revenue Sharing Funds.

The project continued to grow, primarily supported by Revenue Sharing throughout 1976. In anticipation of the increased need for community based services for runaways and truants, ARCC's budget of revenue sharing funds (\$110,000) was augmented in 1977 with \$41,996 from Project AB 3121. During the last three months of 1977, the project was operated solely on County general fund monies. Expenditures in calendar year 1978 are anticipated to exceed \$250,000.

Some of the increases observed in 1977 are attributed to the project's natural growth. Half of the increases between 1975 and 1976 are attributed to the closure of another crisis counseling service. Based on the remaining increase in crisis cases between 1975 and 1976 (287 cases), the anticipated number of crisis cases in 1977 was 1,057; the difference between the expected crisis caseload (1,057) and actual number (1,453) can be attributed to

⁶ See Appendix C, Exhibit 5 for AB 3121 Project Budget detail.

the new legislation (396 cases). At an average rate of \$148.42 per crisis cases, AB 3121 costs in 1977 were \$58,774. At this rate plus a 10 percent growth and inflation factor, \$35,558 from County general fund support of ARCC during the first six months of 1978 can be attributed to the legislation's impact. The financial and caseload growth of ETC and Alum Rock are charted on Table .

2. Emergency Treatment Center (ETC)

ETC provides counseling services for adolescents in the north county area. The 24-hour Crisis Intervention Project operated on County Revenue Sharing funds in 1975 and 1976. Over the last three years a gradual increase in costs and caseload has been experienced. Their 1977 funding was a combination of revenue sharing (\$62,000), LEAA support (\$35,6000) and County general fund resources (\$66,500). The remainder of the County general fund contract (\$63,500) will be expended by mid-1978.

The number of 1977 cases attributed to the new legislation is 190 or \$30,761 based on \$161.90/case. Half of the growth in 1976 is caused by closure of the third crisis intervention center; the rest is projected to 1977 to obtain an expected caseload of 776. At this growth and 10 percent inflation factor, \$18,610 of the general fund expenditures during January through June 1978 will be related to AB 3121 factors.

TABLE 4
FINANCIAL GROWTH OF CRISIS INTERVENTION PROJECT

ALUM ROCK COUNSELING CENTER

	1975	1976	1977
Expenditures	\$64,896	\$107,718	\$215,653
Crisis Cases	626	913	1,453
Costs/case	\$103.67	\$117.98	\$148.42

EMERGENCY TREATMENT CENTER

	1975	1976	1977
Expenditures	\$52,000	\$ 66,200	\$156,400
Crisis Cases	332	628	966
Costs/case	\$156.63	\$105.41	\$161.90

3. Unit Costs

Although no County agency provides a similar crisis intervention service for youth, there is some evidence that ARCC and ETC serve as an alternative to the Juvenile Justice process, i.e., referrals to JPD, or to Child Protective Services (CPS). Since the inception of AB 3121, referrals from JPD and law enforcement to the crisis counseling centers seem to be increasing. Opinions offered by agency representatives as early as 1975 indicated some agreement that ARCC was an alternative to Child Protective Services (6 of 10 respondents) or an alternative to Juvenile Probation (5 of 10 respondents).⁷ The logic in comparing unit service costs of the community based programs to County agency service costs is not related to comparability of service; if ARCC and ETC did not exist, it is reasonable to assume that some of the youth experiencing conflicts with parents would be referred to either JPD or DSS.⁸

An examination of the reasons for referrals to Child Protective Services over the last two years shows some resemblance to the problems seen by the crisis centers.

⁷ "Evaluation Countywide 24 Hour Crisis Intervention Program," Program Planning & Evaluation Section, County Executive's Office, January 1976.

⁸ Protective Services for Children in the Department of Social Services (DSS) are those services extended to protect children where there is knowledge that they are, or are in danger of, being deprived, neglected, abused, exploited or cruelly treated. The Protective Services Program extends casework services on a voluntary basis to those families who are not providing care and nurture for their children in accordance with the minimal physical, moral and social standards of the community. The differentiating aspect of this service is the offering of casework services to the client who is unable or unwilling to resolve the neglect or abuse. Of the authorized staff of 40 social workers, 15 are out stationed with other community agencies -- schools, police departments, and Juvenile Probation Department. The Host Agency pays 25% of the staffing costs.

CHILD PROTECTIVE SERVICES

REASONS FOR REFERRALS

	1976	%	1977	%
Sexual abuse	89	3.2%	71	2.7%
Physical abuse	453	16.5	491	18.8
Intentional deprivation	464	16.9	383	14.6
General neglect	1,471	53.5	1,402	53.6
Other	271	9.9	25	1.0
<hr/>				
TOTAL	2,748	100.0%	2,618	100.0%

The "other" category contains problems described as adolescent conflict, child management, family conflict, alcohol, and runaway. It is fortunate that the identification and subsequent tracking of a representative sample of individuals referred to Child Protective Services, Juvenile Probation, ETC, ARCC or County Mental Health is economically and perhaps ethically impossible. (Confidentiality of records and personal privacy issues must be considered.) It is at least conceivable that tracking a sample of youth would show a progression or movement of these cases in and out of the services, one after another.

It is possible to show that many of the CPS referrals come from law enforcement and JPD; CPS also refers many of their rejected cases to JPD (Those involving a criminal action).

Finally, we can compare the cost of cases handled in any of these services by calculating unit costs. This simple measure is the ratio of annual expenditures to the total number of cases. Roughly half the referrals to Child Protective Services are accepted. The unit cost was therefore \$260.74 for each referral and \$572.81 for each accepted case in 1977.

CHILD PROTECTIVE SERVICES

	1976	1977
Expenditures	\$797,976	\$648,990
DSS Admin. & Support (8.2%)	65,434	53,217
Countywide Overhead (3.4%)	27,131	22,066
<hr/>		
Total Cost	\$890,541	\$724,273
Referrals	2673	2489
Cost/referral	\$ 333.16	\$ 290.99
<hr/>		
Accepted cases	1288	1133
Cost/case	\$ 691.41	\$ 639.25

The technique of dividing expenditures by referrals to Juvenile Probation may be utilized, but the results are somewhat misleading. Juvenile Probation provides detention and rehabilitation services at Juvenile Hall and the ranches. Total expenditures including these housing costs are not comparable to caseloads in CPS or private community based operations. Further, many P.O.'s in intake and investigation, and placement and supervision divisions handle both 601 and 602 cases. Calculating the total cost of handling a 601 referral to JPD can be approached using OA Standards⁹ and 1977 statistics, but the result is only an approximation of some of the cost associated with 601 handling. Without the ability to track juveniles through the justice process, estimates cannot be completely accurate. Such tracking is only possible with a computerized juvenile data system.

The table below shows the relevant expenditure data and workload weights for many of the JPD functions dealing with 601's in 1977. With overhead and direct expenditures, the cost of handling 601's by the Department is conservatively estimated as \$332,961

⁹

See Section C for explanation of OA Standards.

for 1977. There were 765 status offenders referred to JPD during the year for a unit cost of \$435.24. If those cases released or settled at intake are dropped from the caseload the remaining 601's (285 cases) cost \$1,116.40 per case.

601 Costs in JPD 1977

UNIT	BUDGET	WEIGHT FOR 601 WORK	NET COST
Screening	\$ 152,461	0.0459	\$ 6,997
Del. Intake & Invest.	609,844	0.0594	36,225
Del. Supervision	1,528,885	0.0288	44,032
Placement I	253,623	0.1739	22,620
Placement II	201,784	0.1121	44,105
Placement III	187,628	0.1739	32,629
Subtotal			\$186,608
Department Administration & Support @ 7%			\$ 13,063
Countywide Overhead @ 12.2%			22,766
Housing in non-secure facilities			81,783
Additional expenses associated with 601 housing ¹			28,741
		Total	\$332,961
601 referrals in 1977		765	
Cost/referral	\$ 435.24		
Total Costs less SAI or Release Cost			\$318,175
601 referrals processed (not SAI or released)		285	
Cost/referral	\$1,116.40		

¹ See Section C for items

Based on the information about referral problems, it can be concluded that if ARCC and ETC were not available some of their cases would be referred to JPD or CPS at an increased cost of 88 percent to 600 percent depending upon the definition of case.

4. 601 Housing Costs

Direct shelter case costs per 601 case are compared below based on 1977 statistics from JPD, ETC and ARCC:

	JPD	ARCC	ETC
Expenditures	\$81,783	\$10,091	\$5,031
Cases	430	159	47
Average length of stay (days)	10.5	4.7	7.7
Cost/case	\$ 190.19	63.47	107.04
Cost/day	18.13	13.50	13.90

These figures reflect only contractual amounts, i.e., direct payments expended for housing. As expected, the community services, with their informal placement options, provide housing at one half to one third the price of JPD contractual service per case or seventy-five percent of that JPD cost per day. The comparison is made to demonstrate that if referrals to ETC or ARCC were made to JPD (i.e., if ETC or ARCC did not exist), the cost of housing might double.

5. Community Based 601 Facilities

Based on a shortage of temporary shelter bedspace in the community for runaways and crisis cases, two facilities were funded by LEAA in 1977 pursuant to the new legislation. The City of Santa Clara sponsored Wilson House with a 1977 budget of \$82,230 of which \$74,006 are federal funds, \$4,112 local hard match and \$4,112 soft match.

Their objectives are:

- to provide temporary shelter for up to six youth every two weeks (serve a minimum of 132 clients per year), and
- to provide outreach counseling services to 50 non-resident clients.

The second year budget calls for \$86,691 of which \$73,689 are federal funds.

The local Social Advocates for Youth (SAY) 24 Hour Crisis House is sponsored by the City of Mountain View with \$3,497 of hard match and \$3,497 of soft match in 1977. The total budget is \$69,942 of which \$62,948 is federal money. Their objectives include the intent to provide status offender youth with temporary crisis intervention housing, especially in light of the deinstitutionalization of 601 offenders as stipulated in AB 3121. Their annual goal is to provide temporary housing for 50 youth, no more than six at a time. The project assists youth in coping with their life situations in a more socially acceptable manner, helps them determine future goals and restores communication with families.

The second year budget calls for \$72,000 of which \$62,000 are federal funds.

C. JUVENILE PROBATION DEPARTMENT

1. Increased Workload

Prior to AB 3121, the functions and services of Juvenile Probation were studied by the County's Operations Analysis (OA) group and workload standards were developed. In past years the staff complement necessary to accomplish various tasks was determined using the OA standards. With increased caseloads brought about from the gradual increase in crime and arrests and with a tighter economy throughout the County, the OA standards were determined unworkable as applied to budget projections. The County found it economically infeasible to finance the increase in personnel indicated by the application of the OA methods. The OA system is criticized further in that the standards were established in 1972 and although many laws such as AB 3121 have influenced the functions of Probation, no new weighting has been developed. For example, some PO's working in Intake and Investigation suggest that a 601 investigation takes two to three hours longer since the implementation of AB 3121. This supposition is understandable with the increase in travel to non-secure facilities, additional paperwork, and greater emphasis on evidentiary aspects of a case.

Nevertheless, OA standards are effective in calculating the shift in workload and the total overall increase in work since AB 3121 when additional costs associated with travel, paperwork, and adversary processes are estimated as separate line items.

Using the OA standards and the pre - post AB 3121 statistics on referrals, initial decisions, citations and annual reviews outlined in Appendix the following changes in probation officers required are indicated over 1976 levels:

**WORKLOAD CHANGE BY MINOR CLASSIFICATION
(NO. OF DEPUTY P.O.'S)**

300	601	602	NET	
	-2.9	+3.2	+0.3	Del. Intake & Investigation
	-0.9	+4.8	+3.9	Delinquent Supervision
+5.8			5.8	Dependent Intake
+0.6			0.6	Dependent Supervision
6.4	-3.8	8.0	10.6	Total

2. Cost of Additional Workload

Based on average starting salaries listed below, the Probation Department's costs for the 18 month period associated with the increased workload are \$614,708 (an increase of \$149,384 in 300 and 601 workload and \$465,324 in 602 workload). (See Table 5 .)

	1/1/77 - 6/30/77	7/1/77 - 6/30/78
SALARIES	(6 mo)	(12 mo)
Deputy P.O. II (5th step)	\$ 9,068	\$18,135
Supervising P.O. I (4th step)	10,506	21,012
Clerk III (5th step)	11,294	11,834

TABLE 5
COST OF ADDITIONAL PROBATION PERSONNEL
(18 MONTHS)

	COSTS IN 300 & 601 WORK	COSTS IN 602 PROCESSING	NET COST INCREASE
No. Deputy P.O.'s	2.6	8.0	10.6
Salary	\$ 70,728	\$217,626	\$288,354
No. Clerks ²	0.4	1.3	1.7
Salary	\$ 6,993	\$ 22,726	\$ 29,719
No. Supervising P.O.'s ²	0.4	1.3	1.7
Salary	\$ 12,007	\$ 40,974	\$ 53,581
Fringe ³	\$ 16,842	\$ 52,445	\$ 69,287
Total Salaries & Fringe	\$107,170	\$333,771	\$440,941
Equipment, Supplies and Expenses ⁴	\$ 16,313	\$ 50,805	\$ 67,118
County & Department Overhead ⁵	\$ 22,045	\$ 68,728	\$ 90,773
Space Allocation ⁶	\$ 3,856	\$ 12,020	\$ 15,876
TOTAL COST	\$149,384	\$465,324	\$614,708

- 1) 300 and 601 workload shifts are combined because of procedures discussed in previous section.
- 2) Clerk and supervising P.O. each based on ratio of one to six deputy P.O.'s.
- 3) See Exhibit .
- 4) Based on a ratio of equip., supplies and expenses to salaries and benefits from 1976 - 77 Actual Expenditures and 1977-78 Budget.
- 5) See Exhibit .
- 6) Supplied by JPD Administrative Services Division and Property Management Division of Santa Clara County General Services Agency.

a. Delinquent Intake and Investigation

Table 6 applies the OA standards for each function of Delinquent Intake and Investigation to the difference in volume between 1976 and 1977. The required standard hours are divided by 85 percent, the OA utility factor. Three percent is added for unmeasured work before dividing by 1786 annual hours available per P.O. in this unit.¹⁰ The results show that Delinquent Intake and Investigation used the equivalent of 2.9 P.O.'s less for 601 work and 3.2 P.O.'s more for 602 work or a net requirement of 0.3 additional P.O.'s.

¹⁰ This technique, using OA established values for utility factor, unmeasured work, and hours per P.O. per unit, is consistently applied for computing other workload shifts in JPD.

TABLE 6
DELINQUENT INTAKE & INVESTIGATION WORKLOAD CHANGES

TYPE OF MINOR	ACTIVITY	STD. TIME PER UNIT HOURS	VOLUME			REQUIRED STD. HOURS
			1976	1977	DIFFERENCE	
601	Cases Investigated	7.70	448	156	-292	-2248.4
	Cases SAI's	1.10	972	410	-562	- 618.2
	Cases Informal Sup	1.42	151	15	-136	- 193.1
	Petitions	2.37*	448	156	-292	- 692.0
	Citations	0.78	34	12	- 22	- 17.2
	Home Visits	1.50	448	156	-292	- 438.0
	SIRF (80%)	0.25	448	156	-292 x .80	- 58.4
TOTAL						-4265.3

Total $\div .85 \times 1.03 \div 1786 = -2.9$ PO's for 601 intake and investigation function

TYPE OF MINOR	ACTIVITY	STD. TIME PER UNIT HOURS	VOLUME			REQUIRED STD. HOURS
			1976	1977	DIFFERENCE	
602	Cases Investigated	6.30	1951	2552	601	+3786.3
	Cases SAI'd	1.10	5348	4611	-737	- 810.7
	Cases Informal Sup	1.42	2071	1910	-161	- 228.6
	Petitions	1.95	1951	2552	601	+1172.0
	Citations	0.78	4752	4482	-270	- 210.6
	Home Visits	1.50	1951	2552	601	+ 901.5
	School Information Review Forms (80%)	0.25	1951	2552	601 x .80	+ 120.2
TOTAL						+4730.1

Total $\div .85 \times 1.03 \div 1786 = +3.2$ PO's for 602 intake and investigation function

* Average of OA stds., for female and male as sex of 601's is not known.

b. Delinquent Supervision

Data on petitions and investigations are related to OA standards on the table below resulting in a net 0.04 more P.O.'s. In addition OA allows 1.437 per delinquent supervision case per month (after deducting petition and investigation hours.) Caseloads increased an average of 288 per month from 1776 to 1977.

$$288 \times 1.437 \div 0.85 \times 1.03 \div 129.2$$

$$\text{available hours/month} = 3.9 \text{ P.O.'s}$$

Assuming 4 percent of the workload is for 601's and 96 percent is 602's (based on total referral data) 0.16 P.O. for 601 work and 3.74 P.O. for 602 work.

In summary:

$$601: -1.05 + 0.16 = -0.9 \text{ P.O.'s}$$

$$602: +1.09 + 3.74 = 4.8 \text{ P.O.'s}$$

$$\text{Net } 3.9$$

TABLE 7
DELINQUENT SUPERVISION WORKLOAD

TYPE OF MINOR	ACTIVITY	STD. TIME PER UNIT (HOURS)	VOLUME			REQUIRED STD. HOURS
			1976	1977	DIFFERENCE	
601	Petitions	1.744	322	72	-250	- 436
	Investigations	4.463	322	72	-250	-1115.8
TOTAL						-1551.8

Total $\div 0.85 \times 1.03 \div 1786 = -1.05$ PO's for 601 Delinquent Supervision functions

602	Petitions	1.744	2172	2430	+258	+ 450.0
	Investigations	4.463	2172	2430	+258	+1151.5
TOTAL						+1601.5

Total $\div 0.85 \times 1.03 \div 1786 = +1.09$ PO's for 602 Delinquent Supervision functions

c. Dependent Intake

The upsurge in 300 referrals would justify 5.8 new positions in Dependent Intake as outlined in Table .

TABLE 8
DEPENDENT INTAKE

TYPE OF MINOR	ACTIVITY	STD. TIME PER UNIT (HOURS)	VOLUME		DIFFERENCE	REQUIRED STD. HOURS
			1976	1977		
300	No. of cases SAI'd	5.03	1582	2121	539	2,711.17
	No. of cases petitioned	20.95	534	757	223	4,671.85
	No. of cases I.S.	12.99*	137	128	- 9	- 116.91
TOTAL						7,266.11

Total $\div 0.85 \times 1.057 \div 1545 = 5.8$ PO's for Dependent Intake function.

* Average of SAI & petition as IS type not known.

d. Dependent Supervision

Based on a comparison of 300 referrals pre and post AB 3121, some of the OA standards can be applied but it indicates only a slight increase in personnel warranted (0.6 P.O.'s).

TABLE 9
DEPENDENT SUPERVISION

TYPE OF MINOR	ACTIVITY	STD. TIME PER UNIT (HOURS)	VOLUME		DIFFERENCE	REQUIRED STD. HOURS
			1976	1977		
300	New case contact JPD	1.6	287	433	146	233.6
	Field visits	0.9	287	433	146	131.4
	Petitioning process	2.5	38	104	66	165.0
	Annual reviews	1.5	689	777	88	132.0
TOTAL						662.0

Total $\div 0.85 \times 1.186 \div 1620 = 0.6$ PO's for Dependent Supervision function.

e. Placement

An effort to determine the shift in Placement workload since AB 3121 resulted in inconsistent results. Applying OA standards to Placement caseload data resulted in a small overall decrease in the number of P.O.'s justified. A similar application of OA to actual functions (e.g., number of minors placed, cases investigated, field visits, etc.) showed a net increase in projected P.O.'s. Since the change was less than one probation officer in either case, the negligible and inconsistent information was dropped from the analysis.

3. Costs of Non-Secure 601 Facilities

A major provision of AB 3121 is the mandate that 601's no longer are to be detained in secure facilities. The Juvenile Probation Department interpreted the intent of this requirement in the legislation to mean 601's should be provided home-like environments, and therefore sought approval to contract for emergency bedspace for 601's in private homes.

The Department received the Board of Supervisors' approval to contract for up to 30 emergency 601 beds, and initially contracted with the Boys and Girls Adolescent Residential Centers (ARC), for up to six beds for girls and three beds for boys and the CORPUS home with four beds for either boys or girls. These are licensed foster homes and received \$60.00 per month for each bed held for the exclusive use of the Probation Department and \$14.00 per day for each day one of the beds was occupied. As a result of providing additional services, ARC daily rate was increased to \$23/day in September 1977.

The total number of 601's admitted to non-secure facilities in 1977 was approximately 430 or 35.8 per month. In the last three months of 1977 and first few months of 1978, an increase in 601 processing has become evident. An increase of 14 percent is anticipated for 1978. Nine different facilities have been under contract to accept 601 referrals from Probation.

The Juvenile Probation Department expended \$81,783 for 4509 child care days of non-secure status offender housing for 1977. Based on current trends, approximately \$120,000 will be spent during 1978 for 5,000 child care days or \$141,518 for the eighteen month period. Additional costs associated with housing 601's in non-secure facilities are shown on Table 10.

Although status offenders are no longer housed in Juvenile Hall, the average daily population of the Hall has not decreased but remained approximately the same for two calendar years. The services in Juvenile Hall remain about the same, and no cost savings has occurred.

4. The Changing Juvenile Court

In the past decade, the Juvenile Court has been subjected to increasingly severe criticism and censure as a result of a reassessment of the rights of children in that Court. The philosophy of the Court has changed from paternalistic dispenser of juvenile justice to reflect proceedings that closely parallel the Adult Criminal Court-except for bail and jury trials. AB 3121 has continued that trend. An understanding of the changes in the adjudicatory process related to AB 3121 was determined through interviews with those who work in the system. The previous interim reports explain in detail the opinions of respondents regarding the changes in the juvenile justice process; a summary list of areas in which numerical increases were expected are:

- petitions filed
- multiple courts
- contested cases
- fitness hearings
- trials
- plea bargaining
- juveniles housed in adult jail
- subpoenas
- incarceration time
- continuances

TABLE 10
ADDITIONAL 601 COSTS

	1/1/77 - 6/30/77	7/1/77 - 6/30/78	TOTAL
Deputies travel to interview 601's			
# of 601 cases to non-secure facilities	215	460	
1 round trip/case	x 0.75 hrs.	x 0.75 hrs.	
Deputy P.O. III salary + benefits (5th step)	$\frac{x\$13.32/\text{hr}}{\$2,147.85}$	$\frac{x\$13.23/\text{hr}}{\$4,564.35}$	\$ 6,712
Transportation of 601's			
# of 601 cases to non-secure facility	215	460	
3 round trips/case	x 2.25 hrs.	x 2.25 hrs.	
transportation officer salary + benefits (3rd step)	$\frac{x\$6.59/\text{hr}}{\$3,187.91}$	$\frac{x\$6.86/\text{hr}}{\$7,100.00}$	\$10,288
Medical costs			
15% of 601 cases needing attention	32	69	
1 trip plus wait for service	x 2.5 hrs.	x 2.5 hrs.	
transportation officer salary + benefits* (3rd step)	$\frac{x\$6.59/\text{hr}}{\$ 527.20}$	$\frac{x\$6.86/\text{hr}}{\$1,118.35}$	\$ 1,711
Management			
10 hours/week Asst. Superintendent of Juvenile Hall salary + benefits (14 mo.)	260 hrs. \$12.69/hr	520 hrs. \$12.60/hr	
Supervising Group Counselor I salary + benefits (4 mo.)	$\frac{\$3,299.40}{\$10.88/\text{hr}}$	$\frac{\$6,253.87}{\$10.88/\text{hr}}$	\$9,553
Clerical work			
# of 601 cases to non-secure facilities	215	460	
7 additional minutes/case	x 0.12 hrs.	x 0.12 hrs.	
Clerk II salary + benefits	$\frac{\$5.90/\text{hr}}{\$ 152.22}$	$\frac{\$5.88/\text{hr}}{\$ 324.58}$	\$ 447
TOTAL			\$28,741

* If transportation officers are not available to transport 601's, Probation Officers may substitute meaning greater costs to Juvenile Probation.

There was disagreement among the respondents about the extent of Court calendar backlog or crowding, changes in judicial dispositions, and D.A. "shopping" by probation officers.

Data on many of these areas have been collected and are the basis for increased staffing and costs to the District Attorney, Public Defender, Juvenile Court and Sheriff's Office. For the Probation Department, five areas of change related to 601 processing have associated cost figures at this writing:

- Community Release Program
- Conferences with District Attorney
- Report forms
- Staff training
- Subpoena processing

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The increased adversary nature of the Court has definitely increased JPD workload in other ways but these have not been converted to cost figures at this time:

- increase in contested petitions
- multiple counts
- continuances

¹¹ Since this is a shared function with the Santa Clara County Sheriff's Office, the costs are presented in a later section.

a. Community Release

AB 3121 has added Section 628.1 to the Welfare and Institutions Code which directs the Probation Officer to release a minor, who has been taken into temporary custody, to Home Supervision unless the minor is (1) without effective parental care, etc. (2) destitute or not provided with the necessities of life, etc. (3) provided with an unfit home by reason of neglect, etc. (4) a danger to himself or the person or property of another. The legislation further requires that the home supervision program provide a Probation Officer or Probation Aide to assure the minor's appearance of Probation Officer's interviews and court hearing and to insure that the minor obeys the terms and conditions of his release to Home Supervision.

In Santa Clara County, a Community Release program was instituted to accomplish these goals several years before the implementation of AB 3121. The ongoing cost of Community Release totals \$73,502 for the 18 month period.

b. Conferences with District Attorney

Five hours of deputy district attorney and probation officer meetings were sampled by Probation's management analyst to determine the number of P.O. hours associated with this new function. Of the 26 conferences surveyed, eleven or 42% were second meetings on a case. The average time per conference, which includes waiting but not travel time, was 23 minutes with a range from .33 to 84 minutes.

To estimate the additional P.O. time, the prior practice of meeting with the D.A.'s on contested petitions should be compared with the new practice of meeting on all delinquency petitions, most informal supervision cases and modified court orders. The net cost is \$74,054 for the eighteen month period.

1977 cases requiring conference

Petitions (new referrals and citations)	5604
Informal supervision	1910
Re-referral modified court order	267
Net	<hr/> 7781

1976 cases requiring conference

Contested petitions	994
Difference	<hr/> 6787

Average minutes per meeting	x	23.11
Number of second meetings/case	x	1.4231
minutes/hour	÷	60
hours/year	÷	2080
P.O.'s for additional conferences		<hr/> 1.79
Deputy P.O. II (salary + benefits for 18 mo.)		\$41,371.20
		<hr/> \$74,054.45

c. Report Forms

Direct costs associated with the increase in paper work in Juvenile Court include:

\$600 additional court reports and petitions
\$450 new forms and additional duplication

d. Training

One hundred eighty-four probation officers and supervisors have each received 6 hours of legal training regarding the new law procedures.

$$184 \times 6 \text{ hours} \times \$13.23/\text{hour} = \$14,605.92$$

e. The Initial Decision to Petition

The three options available to intake and investigation officers for new referrals are settled at intake, informal supervision and petition. The initial decision in 1977 on all types of cases (300, 601 and 602) was significantly different from 1976, although the decisions on 602 cases altered much more dramatically than the 300 or 601

cases.¹² There was a slight increase in the proportion of 601 cases settled at intake and a similar increase in the percentage of 300 cases resulting in petitions. (See Table 8 .)

With AB 3121 came a large increase in the number of new 602 referrals resulting in a decision to petition, consistent with the interpretation of the legislation to "get tough" with law violators and the involvement of the District Attorney in the petition process. Of the 9,370 new 602 referrals in 1976, 1,951 or 20.8 percent initially resulted in petitions. In 1977, 28.1 percent of the 9,073 new 602 referrals were initially disposed of by petition. The changes in initial decisions for the 602 referrals are highly significant considering the proportionate decrease in the settled at intake category.

The options for the supervising probation officer with a re-referral are release without court, petition, modified court order and order detentions. Significant alteration in these decisions also has been observed since AB 3121. (See Table 7 .) Petitions and modified court orders were used much more often for 300 re-referrals than previously, while temporary detention orders decreased.

For 601 re-referrals, the percentage more severely disposed of by petitions or modified court orders increased although the total number of 601 re-referrals was greatly reduced. Release without court for 601 re-referrals was used proportionally less often than in 1976.

Similarly, the decision on 602 re-referrals has shown a trend toward more modified court orders and fewer decisions to release without court, although the shift is not dramatic as with new 602 referrals.

¹² A Chi Square test of significant difference was calculated on the referral data to determine whether the proportion of cases resulting in the various options varied from pre to post AB 3121 groups.

f. Multiple Counts and Continuances

An independent study of the increase of multiple count 602 petitions was made by Probation staff by searching court calendars in May, September, October, and November 1-17 in 1976 and 1977. The average number of counts per 602 petition was 1.9 in the post - AB 3121 sample compared to 1.7 counts pre - AB 3121.

Similarly, an increase in continuances in Juvenile Court is shown in the February sample of the Court calendar.

	February 1976	February 1977	February 1978
Number	141	177	208
Percent		25.5%	17.5%

These factors will no doubt influence probation officer's work, but the extent of the cost has not been determined at this writing.

D. OFFICE OF THE DISTRICT ATTORNEY (DA)

1. Workload in the Juvenile Court

Before AB 3121, the District Attorney appeared in Juvenile only on contested hearings and consequently had assigned three deputy district attorney's to the Juvenile Court. Under the new legislation, 681 (a) W & I Code, the District Attorney is mandated to appear at all stages of 602 petition processing -- detention, fitness, jurisdiction and disposition hearings -- as well as to review petitions for evaluation of legal admissibility of evidence.

a. Detention Hearings

At detention hearings the referee hears evidence and arguments and decides whether or not a juvenile is to be remanded into custody pending outcome of the 602 petition and is a rough equivalent of bail hearings. There were approximately 4,780 detention hearings in 1977 of which 4,707 were 602 cases according to DA records. The JPD Unit indicates that deputy DA's were present in 3,370 hearings or 71.6 percent of the total 602 detention hearings, a statistic that remained

fairly constant throughout 1977. Since deputies were present in only nine detention hearings in 1976, the 3,370 hearings at which they appeared in 1977, (37,344 percent increase) represents a considerable increase in attorney time.

b. Fitness Hearings

New law 707 (b) W & I Code provides that when a juvenile, 16 or 17 years of age is accused of one or more of certain violent crimes, he is presumed unfit for treatment as a juvenile offender and bears the burden of convincing the court that he should remain within the Juvenile Justice System. A fitness hearing is held to present evidence and decide whether or not to remand a juvenile to Adult Court.

Heretofore, the deputy district attorney's rarely participated in fitness hearings. With the steady increase in the number of hearings in recent years (see table below) and with the shift in responsibility for petitioning for a fitness hearing from Probation to the DA since AB 3121, there is an increase, albeit slight in the District Attorney's workload in the Juvenile Court.

	<u>FITNESS*</u> <u>HEARINGS</u>	<u>REMANDS TO</u> <u>ADULT COURT</u>
July through December 1975	18	14 (78%)
January through June 1976	32	25 (78%)
July through December 1976	40	31 (78%)
January through June 1977	58	46 (79%)
July through December 1977	34	27 (79%)

* Supplied by Public Defender's Office. District Attorney records show 97 fitness hearings in 1977; the discrepancy is probably due to the fact that private attorneys rather than public defender personnel handle some cases.

Of the 92 fitness hearings in 1977, 73 resulted in remands to the Adult Court (79%). The outcome of these hearings has not changed significantly, i.e., about the same proportion (78% - 79%) of the offenders are remanded. The deputy DA's presence in the hearings has not significantly altered the Courts's decisions.

Since AB 3121, many more juveniles have been housed in the adult jail; many of these minors have been remanded to Adult Court. The cost of this effect of the new legislation is discussed in Section G.

c. Jurisdiction and Disposition Hearings

Court Unit data show that in 1977, 6,154 of the 8,026 jurisdiction and disposition hearings for W & I Code 300, 601 and 602 cases (76.7 percent) were attended by DA's. This is compared to 7,602 jurisdiction and detention hearings in 1976 of which 1,090 (14.3 percent) had deputy District Attorneys present.

The contested jurisdictional hearing consumes a substantial amount of a deputy's time in Juvenile Court, and is used as one of the DA's primary measures of workload:

TRIALS AND 300 W & I HEARINGS (BY DEFENDANT)

	NUMBER	PERCENT CHANGE
1975	466	
1976	454	- 2.6%
1977	663	+46.0%

Calendar year 1977 data show a marked increase over 1976 level; the number of trials per month is highly variable, however.

d. Petition Review and Filing

Under the new legislation, the District Attorney

must review all 602 and W & I Code petitions, by examining police reports for evaluation of legally admissible evidence. Heretofore, the District Attorney reviewed only contested 602 W & I Code petitions as requested.

The District Attorney's Office correctly anticipated an immense increase in the volume of petitions to be reviewed and made deputy DA's available at all times to juvenile probation officers presenting requests for petitions. Because of the short deadline before filing (48 hours), they are given immediate attention.

AB 3121 also altered 655 W & I Code; under the new law should a juvenile probation officer decline to recommend the filing of a 602 W & I Code petition, the party seeking the affidavit, usually a police officer, may review that decision with a deputy district attorney who has final authority to determine whether or not a petition should be filed.

The number of petitions filed in 1977, now a measure of DA workload, was 4,566. Of these 1,507 were contested petitions (33 percent). Contested petitions have been a measure of DA workload for some time; the 1977 figures show substantial increases over previous year:

CONTESTED PETITION (BY DEFENDANT)		
	NUMBER	% CHANGE
1975	965	
1976	969	0.4%
1977	1,507	55.5%

2. Cost Analysis

Having anticipated the increase in workload resulting from the new mandated responsibilities under AB 3121, the District Attorney's Office was granted five new positions in the Superior Court Division -- 3 attorneys, 1 legal stenographer and 1 clerk III. Subsequently, one DA investigator was assigned to the Juvenile Court. The following salary structure is a summary of those used to calculate the costs to the District Attorney for Compliance to AB 3121 (Table):

<u>ANNUAL SALARIES</u>	<u>1976 - 77</u>	<u>1977 - 78</u>
Attorney I (step I)	\$15,285.92	\$16,294.72
Legal stenographer (step I)	10,058.88	11,301.92
Clerk III	9,303.84	9,843.84
Investigator I	16,533.92	17,020.64
benefits (non sworn)	19.65%	18.67%
(sworn)	27.10%	27.13%

Because many of the new positions were not hired exactly on January 1, 1977, salary savings are reflected on the table.

TABLE 11
COST TO DISTRICT ATTORNEY FOR COMPLIANCE
TO AB 3121
(18 MONTHS)

Salaries	\$122,322
Benefits	24,931
Total salaries and benefits	<u>\$147,253</u>
Equipment, services and supplies ¹	
76-76: 0.2% of salaries & benefits	\$ 83
77-78: 0.2% of salaries & benefits	209
	<u>\$ 292</u>
Overhead (6 x \$10,136.89) ²	\$ 60,821
Space allocation (6 x \$1,134) ³	6,804
TOTAL AB 3121 COST	<u><u>\$215,170</u></u>

¹ Departmental ratio of services to salaries & benefits based on 1976 - 77 actual expenditures and 1977 - 78 budget.

² See Exhibit .

³ Supplied by County of Santa Clara Property Management General Services Administration and JPD Administrative Services Division.

E. OFFICE OF THE PUBLIC DEFENDER

1. Juvenile Workload Data

The Public Defender's Office had assigned three attorneys and one social worker to the Juvenile Court prior to 1977. Unlike the District Attorney, a defense attorney's attendance at the various hearings is not mandated by AB 3121. Court Unit records show that 35.4 percent (1,606) of the 4,543 detention hearings in 1976, and 38.1 percent (2,898) of the 7,602 jurisdiction and disposition hearings in 1976 had defense attorneys present. In 1977 those figures rose to 44.2 percent (2,114) of the 4,780 detention hearings and 65.9 percent (5,287) of the 8,026 jurisdiction and disposition hearings. This represents an increase of 32 percent in detention hearings and 82 percent in jurisdiction and disposition hearings as compared to 1976. Public Defender's workload statistics show that his attorneys made 6,856 court appearances in 1977 and opened 3,642 case of the following types:

	#	%
W & I 300	145	4.0%
W & I 601	117	3.2
W & I 602	2,856	78.4
Traffic	184	5.1
Termination of Parental Status/Adoption	3	0.1
Other Cases	337	9.3

While 601 referrals to the Public Defender decreased after AB 3121, 602 cases requesting representation increased 35 percent since the last half of 1976, 300 referrals remained approximately the same.

Of particular note in a comparison of referee decisions in

detention hearings before and after AB 3121 is the seeming consistency; only the use of continuance altered noticeably. The presence of deputy DA's and defense attorneys with greater frequency may have led to more contested cases, but the outcome remains proportionally constant. A little over 60 percent of the hearings result in detention, another 30 percent are released; 6 to 7 percent are continued and the remainder are handled off calendar.

Further, contested dispositional hearings, where public defenders represented clients, showed a dramatic increase in the first part of 1977, from 51 during the last half of 1976 to 232 during the first 6 months of 1977 and increase of 355 percent.

2. Plea Bargaining

Public Defender workload data are illustrative of the extent to which plea bargaining has increased since January 1, 1977. The total number of petitions settled without trial in 1977 (1906) is 10.5 percent greater than the 1976 total (1725). The percentage of the settlements that resulted in dismissal without a hearing remains fairly constant--from 10 to 16 percent of all settlements. A significant change in admissions occurred after January 1, 1977, however. Before AB 3121, approximately 65 percent of the settlements were admissions as filed and about 20 percent of the cases admitted to lesser charges. In the first half of 1977, this ratio changed to 47 percent admitted as filed and 41 percent admitted to lesser charges. The increase in admissions to lesser charges is a good indicator of increased plea bargaining.

Petitions admitted to a lesser charge increased 178 percent from the last six months of 1976 (185) to the first six months of 1977 (415). The overall increase in petitions is generally resulting in more cases settled through plea bargaining.

Other indicators of the increased workload brought about AB 3121 are a) the preparation of arguments for fitness hearings by the public defender to show that minors are "fit" to be treated in the Juvenile Court, and b) the need to travel to non-secure facilities to interview status offenders.

Table 12

Petitions Settled w/o Trial

	<u>1975</u>		<u>1st</u>		<u>1976</u>		<u>1st</u>		<u>1977</u>	
	<u>2nd</u>				<u>2nd</u>				<u>2nd</u>	
	#	%	#	%	#	%	#	%	#	%
Admitted as filed	576	67.0%	606	65.1%	510	64.2%	479	47.1%	798	89.8%
Admitted to lesser charge	162	18.8%	178	19.1%	185	23.3%	415	40.8%		
Dismissed w/o hearing	122	14.2%	147	15.8%	99	12.5%	123	12.1%	91	10.2%
Total	860	100.0%	931	100.0%	794	100.0%	1017	100.0%	889	100.0%

3. Cost Analysis

The following salaries were used to calculate the costs to the County for six positions added to the Public Defender's staff as a result of increased work in the Juvenile Court since AB 3121.

POSITION	DATE HIRED	COSTS THROUGH 6/30/77	ANNUAL SALARY 1977-78
Attorney III	1/11/77	\$12,254	\$25,900
Legal Steno	1/26/77	4,178	11,302
Investigator I	2/22/77	5,167	15,442
Social Worker IV	3/21/77	4,906	16,286
Legal Aide	5/2/77	2,364	13,810
Attorney I	5/16/77	1,764	16,295
fringe		19.34%	18.51%

Total expenditures of the Public Defender's Office to implement the legislation is \$201,149 for the 18 months period.

TABLE 13
COST TO PUBLIC DEFENDER FOR COMPLIANCE
TO AB 3121
(18 MONTHS)

Salaries	\$129,668
Benefits	23,706
Total salaries and benefits	<u>\$153,374</u>
Equipment, services and supplies ¹	
Jan-June 1977: 7.3% of salaries & benefits	\$ 2,672
FY 77 - 78 : 4.8% of salaries & benefits	5,605
	<u>\$ 8,277</u>
Overhead (6 x \$5,448.96) ²	\$ 32,694
Space Allocation (6 x \$1,134) ³	<u>\$ 6,804</u>
TOTAL AB 3121 COST	\$201,149

¹ Department ratio of services to salaries & benefits from 1976 - 77 actual expenditures and 1977-78 budget.

² See Exhibit .

³ Supplied by County of Santa Clara Property Management General Services Administrator and JPD Administrative Services Division.

F. SUPERIOR COURT - JUVENILE DIVISION

1. Judicial Dispositions

There was some anticipation that with AB 3121, the disposition of offenses would become severe, i.e., a greater proportion would be remanded to the adult court, committed to the ranch or to the California Youth Authority (CYA). The table below, presenting ranch and CYA commitments over the last three years, shows that although commitments are increasing the rate is not significantly changed.

<u>Commitments</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>
Ranch	459	549	572
% increase from previous year		19.6%	9.2%
CYA	65	89	116
% increase from previous year		36.9%	30.3%

2. Court Reporter for Juvenile Court Referee

The Board of Supervisors authorized a new position of court reporter in January 1977 pursuant to the legislation's provision that a minor whose case is heard before a referee has the right to apply for a rehearing before a judge of the Juvenile Court. If the proceedings before the referee are recorded by an official reporter, the judge may grant or deny the application based on an examination of the transcript. If the proceedings before the referee are not recorded by an official reporter, the application is automatically granted.

The resulting costs for the 18 month period are:

Salaries	\$ 28,977
Fringe	<u>5,093</u>
Total salaries and fringe	\$ 34,070
Travel (35 days at \$60.00 per diem)	2,100
Equipment, services and supplies ¹	
Jan - June 1977: 49.2% of salaries & benefits	\$ 1,837
FY 77 - 78: 39.5% of salaries & benefits	9,971
Space Allocation (1 x \$1,134) ²	<u>1,134</u>
	\$ 49,112

3. Pro Tem Judge in Juvenile Court

With a 6 percent increase in the number of hearings (other than detention hearings) since AB 3121 and with additional adversary proceedings, the Juvenile Court has had a judge pro tem assisting on a part-time basis, approximately 13.6% of the time. Estimates of this expenditure are \$14,144 based on the hours spent and support staff.

4. Another Juvenile Court Department

Since March 1978, a third Superior Court judge has been assigned to the Juvenile Court two days per week. The County's cost of operating a department of the Superior Court (outlined on Exhibit) for the 2/5 time for four months (March through June 1978) is \$28,412.

G. SANTA CLARA COUNTY SHERIFF'S OFFICE

1. Juvenile Confinements in Adult Detention

As the previous analysis of fitness hearings and remands to the adult court shows, the number of juveniles found unfit has been gradually increasing over the past two years with no particular upsurge since AB 3121. The number of juveniles housed in the jail increased dramatically since early 1977, however:

¹ Department ratio of services to salaries & benefits from 1976-77 actual expenditures and 1977-78 budget.

² Supplied by County of Santa Clara Property Management General Services Administration and JPD Administrative Services Division.

JUVENILES CONFINED IN ADULT JAIL

	<u>BOYS</u>	<u>GIRLS</u>	<u>TOTAL</u>
July - December 1976	11	2	13
February - July 1977 ¹	47	0	47
September - December 1977	29	0	29

The reason for detention at the time of booking was either certification to adult court or one of the eleven offenses identified in Section 707 (b) W & I Code for 73 percent of those youth. From these statistics and from opinions of Juvenile Hall and Sheriff's Office Administrators, the change in housing is almost certainly a result of the new legislation.

The thirteen juveniles housed in the Sheriff's Detention facility during the latter half of 1976 stayed a total of approximately 300 days or 23 days each. Projecting the available 1977 data for a full year provides an estimate of 91 minors held 1,811 juvenile care days. Assuming the number of youth in the main jail would have remained at the 1976 level without AB 3121, the direct cost of the law to the Sheriff's Office is \$53,219 for the 18 month period. ²

2. Subpoena Processing

Serving of subpoenas for the Juvenile Court is a shared function of Juvenile Probation and the Sheriff's Office that has grown by 27 percent since January 1977, all attributed to increased adversary processing. Based on estimates of 15 minutes to one hour to serve the subpoenas, the increased service has cost \$11,253 in salaries and benefits during 1977. If the same rate continues into 1978, the total eighteen month cost is \$16,879.

¹ Data from January and August are not available.

² $\$21.04 \times (1,811 - 600) \div 2 + \$33.44 (1,811 - 600) = \text{total cost}$
when \$21.04/inmate day estimate for '76-77

APPENDIX A

EVALUATION METHODS

The design and methods employed in data collection for this evaluation are described below. Data and displays appearing on the two Interim Reports were not repeated in the final document.

A. DATA COLLECTION DESIGN

The data collection design identified instruments necessary to collect project data as well as the protocol and instructions for use in the evaluation. Instruments and displays generated during the course of the evaluation are outlined below.

1. Flowchart

A flowchart and description of the processing of 300, 601 and 602 juvenile cases through the juvenile justice system indicated changes with the implementation of AB 3121.

2. Questionnaires

The following questionnaires were developed:

- a. law enforcement training component evaluation questionnaire,
- b. project service component evaluation questionnaire for project consumers and their parents,
- c. public education component evaluation questionnaires for parents and juveniles attending project presentations and the Mexican-American Community Services Agency (MACSA) forum.

3. Interview Guides

Interview guides were developed for police, probation, court, prosecution and defense personnel.

4. Data Collection

Data were sought from relevant agencies and community services (BCS, JPD, District Attorney, Public Defender, Sheriff's Office, Superior Court, ETC, Alum Rock, police departments, Wilson House, SAY Crisis House, Department of Social Services) for:

- a. numbers and types of all juvenile justice contacts contacts by offense or problem area and disposition,
- b. workload indicators and expenditure data.

B. AB 3121 PROJECT ACTIVITY

An ongoing liaison with the project coordinator and staff was established and maintained throughout the project year. This process allowed the Evaluation Unit to review the Project development, structure and change. An ongoing review of project documents, procedures and observations was used

- a. to illustrate the historic setting resulting in the Project approach,
- b. to determine the hiring, training and working relationship of project related personnel, and
- c. to determine the accomplishments of project - related efforts.

1. Meetings

Meetings with the Project staff resulted in impressions regarding the project's efficiency and effectiveness, the short and long range impact of AB 3121, the problems and benefits the Project has experienced, and recommendations of these persons to improve the implementation efforts. The results of this informal analysis were used to determine to what extent the Project's operational objectives discussed in the grant award have been met. Particular emphasis was placed on how well the various project components were coordinated for most effective use.

2. Observations

Observing the project personnel and describing their activities and relationships with other criminal justice personnel was also undertaken. Observation data were combined with the informal analysis to offer a more comprehensive understanding of the project effectiveness and efficiency.

3. Public Education

The public education and needs assessment efforts of the AB 3121 Project were analyzed by:

- a. A report of the numbers and type of Project activities and numbers of persons reached was provided by the Project Coordinator.

- b. Five Project presentations were observed by the Evaluation Unit and impressions were made as a result of conversations with attendees.
- c. A content analysis of media coverage and public education efforts generated by the project and by independent sources in the County and State was conducted.

4. Community Services

The original evaluation design included a mandate to measure the impact of AB 3121 on direct services available to juveniles. These functions were assumed by the AB 3121 Project as part of the community service inventory.

5. ETC and ARCC

A description of the services provided by ETC and Alum Rock was developed through:

- a. A study of previously prepared evaluation material.
- b. A tabulation of 1977 service data.
- c. Interviews with line personnel at Alum Rock Counseling Center.
- d. Conversations and meetings with directors at ETC and ARCC for service descriptions and contractual information.

6. Training Component

The Criminal Justice Education and Training Resource System (CJRS) training component's use and effectiveness was examined. The effectiveness and capability of CJRS to accurately inform law enforcement about AB 3121 and about resulting changes in procedures was assessed. The following methods were used in this part of the evaluation:

- a. Records maintained by CJRS were collected and analyzed. These records included:
 - Numbers of persons and numbers of sessions and identification of the personnel receiving training by each training component.
 - Qualitative data generated by CJRS concerning the content and knowledge received by the trainees and feedback from law enforcement agencies.
- b. A short questionnaire survey was administered by CJRS to each person attending the training sessions. This questionnaire rated the relevance and usefulness of the training and solicited recommendations for future AB 3121 training.

- c. Questions on training needs were incorporated into the interviews of criminal justice personnel as outlined below. The interim reports contain discussions of training needs.

C. SYSTEMS RESPONSE

1. Criminal Justice Personnel Interviews

To further understand the impact of AB 3121 on the formal juvenile justice system, a series of interviews of agency personnel was conducted. Interviews were designed to determine the problems and benefits of the new legislation and to solicit input in recommendations for improving the systems reaction. The following agency personnel were interviewed:

- a. Police Administration - police chiefs and Sheriff
(15 interviews)
- b. Police line personnel - juvenile, training and patrol officers
(72 interviews)
- c. Juvenile Probation Administration - Chief Probation Officer, management staff and line supervisors
(19 interviews)
- d. Juvenile Probation line personnel - probation officers and counselors
(35 interviews)
- e. Court System - judges, and referee
(3 interviews)
- f. District Attorney's Office - Assistant District Attorney and deputies
(5 interviews)
- g. Public Defender's Office - Assistant Public Defender and attorneys
(5 interviews)

2. Policies and Procedures

Written procedures and policies related to juvenile matters were gathered from the agencies mentioned above. Policies and procedures before and after AB 3121 were compared.

3. Arrest Data

To evaluate the changes in arrest rates of 601's and 602's since AB 3121, Bureau of Criminal Statistic police data for 1976 and 1977 were compared.

4. Juvenile Justice Systems Data

An extensive statistical analysis of manually maintained and tabulated aggregate data was conducted to determine changes in the processing of juveniles. Data from the Juvenile Probation Department came from the Court Unit, Juvenile Hall, Rehabilitation Facilities, Children's Shelter (now part of Department of Social Services), and the Statistics Unit. Comparisons of 1977 data were made to 1976 data and, whenever possible, to the projected 1977 expectation based on linear projection of trends going back as far as five years.

D. COST ANALYSIS

The Evaluation Unit sought to identify costs incurred pursuant to the implementation of AB 3121 and to compare the costs of community based alternatives to agencies that might otherwise have been used. Because of the bifurcated nature of the legislation, costs were separated into

- alternatives for 601's and
- adversary processing of 602's

The community's response in providing alternatives for 601's included costs for AB 3121 Project, Alum Rock Counseling Center, Emergency Treatment Center, Wilson House and SAY Crisis House. Expenditure data were obtained from accounting records and interviews with project personnel. Unit costs were derived for ETC, ARCC, JPD and CPS based on expenditure and referral data.

The cost analysis of Juvenile Probation services associated with the processing of 300's* and 601's were calculated using Operations Analysis (OA) standards which reflect the shift in workload. Additional costs to JPD for handling 601's in non-secure foster care not captured by OA were itemized.

A statistical study of the workload increase as a result of the increased adversary nature of Juvenile Court produced the cost estimates for JPD, District Attorney, Public Defender, Sheriff's Office and Superior Court. Each of these agencies provided information. OA standards were helpful in itemizing personnel costs for JPD.

* This study makes it clear that the jump in dependent child activity is directly related to the implementation of AB 3121.

Costs were derived by comparing workload indicators for 1976 and 1977 or, whenever possible, by determining the difference between actual and projected 1977 figures using linear regression techniques which show trends over several years. Both direct and indirect costs have been identified as much of the impact of the new law did not result in a transfer of County general fund monies to the respective agencies. The new workload was absorbed in most cases by available personnel with associated transfer of tasks. The adjustments made by the County agencies to implement AB 3121 resulted in real opportunity costs.

Whenever possible, cost savings were identified.

E. ANALYSIS AND REPORTING

1. Data Compilation

Upon completion of data gathering, the information developed was manually compiled because no computerized data were available.

2. Data Analysis

An analysis of the information proceeded along the following lines.

- a. Analysis of Project AB 3121 efficiency: The processes, functions and operations of the project. This includes measurement of operational objectives (i.e., number of clients served, number of police officers trained, numbers of community education programs conducted and persons reached) hiring and training of staff, personnel efficiency, methods of liaison with other agencies, etc.
- b. Analysis of the flow of juveniles through the criminal justice system during 1977 as compared with baseline data. The number of juveniles handled within the system by case type was analyzed to determine the effect of AB 3121. Close attention was paid to increases and decreases in the numbers of juvenile offenders by classification to determine the actual impact of the legislation on deinstitutionalization of status offenders and the impact on the numbers of 602's and 300's.
- c. Analysis of the effect of the juvenile flow on ETC, ARCC and other related outside agencies (i.e., whether the agencies are able to handle the client flow, where blocks or potential problems exist in the process and why).
- d. Analysis of the attitudes and understanding of law enforcement (police and other criminal justice personnel) related to the patterns of juvenile referrals.
- e. Cost Analysis: the cost efficiency and effectiveness of AB 3121 on Santa Clara County.

In general, the analysis has been limited by the completeness and accuracy of the reporting elements. The analysis, as it has been outlined above, is seen as feasible and useful for an improved understanding of the Santa Clara County criminal justice system and to provide county decisionmakers with information for planning and policy decisions.

3. Reporting

A total of four reports were provided by the Evaluation Unit. A progress report, completed in early July, discussed the progress of the evaluation process, i.e., activities to date, problems encountered and projections as to the evaluation schedule. Two interim reports, one in August 1977, and a second in January 1978, documented the results of the evaluation and data analysis available. Finally, approximately 30 days after the completion of the project year, this final report has been submitted by the Evaluation Unit. This report includes documentation addressing each of the evaluation objectives and specific recommendations for increased efficiency and effectiveness of the deinstitutionalization process.

TABLE 8

REFERRALS TO JUVENILE PROBATION DEPARTMENT (JPD)

	1976	Percent	1977	Percent	% Change
300's					
New	2,253	69.8%	3,006	71.3%	+ 33.4%
Re-referrals	287	8.9	433	10.3	+ 50.9
Annual review	689	21.3	777	18.4	+ 12.8
Subtotal	<u>3,229</u>	<u>100.0%</u>	<u>4,216</u>	<u>100.0%</u>	+ 30.6%
601's					
New	1,571	64.6%	581	75.9%	- 63.0%
Re-referrals	827	34.0	172	22.5	- 79.2
New Cites	34	1.4	12	1.6	- 64.7
Subtotal	<u>2,432</u>	<u>100.0%</u>	<u>765</u>	<u>100.0%</u>	- 68.5%
602's					
New	9,370	51.9%	9,073	50.5%	- 3.2%
Re-referrals	3,933	21.8	4,397	24.5	+ 11.8
New Cites	4,752	26.3	4,482	25.0	- 5.7
Subtotal	<u>18,055</u>	<u>100.0%</u>	<u>17,952</u>	<u>100.0%</u>	- 0.6%
Totals					
New	13,194	55.6%	12,660	55.2%	- 4.0%
Re-referrals	5,047	21.3	5,002	21.8	- 0.9
New Cites	4,786	20.2	4,494	19.6	- 6.1
300 Annual Review	689	2.9	777	3.4	+ 12.8
GRAND TOTAL	<u>23,716</u>	<u>100.0%</u>	<u>22,933</u>	<u>100.0%</u>	- 3.3

TABLE 9

INITIAL DECISIONS ON NEW REFERRALS TO JPD

	1976	Percent	1977	Percent	Chi Square*
300's					
Settled at Intake	1,582	70.2%	2,121	70.6%	$\chi^2 = 9.30$
Informal Supervision	137	6.1	128	4.3	
Petition	534	23.7	757	25.2	
Subtotal	<u>2,253</u>	<u>100.0%</u>	<u>3,006</u>	<u>100.0%</u>	
601's					
Settled at Intake	972	61.9%	410	70.6%	$\chi^2 = 32.88$
Informal Supervision	151	9.6	15	2.6	
Petition	448	28.5	156	26.9	
Subtotal	<u>1,571</u>	<u>100.0%</u>	<u>581</u>	<u>100.0%</u>	
602's					
Settled at Intake	5,348	57.1%	4,611	50.8%	$\chi^2 = 136.55$
Informal Supervision	2,071	22.1	1,910	21.1	
Petition	1,951	20.8	2,552	28.1	
Subtotal	<u>9,370</u>	<u>100.0%</u>	<u>9,073</u>	<u>100.0%</u>	
Total					
Settled at Intake	7,902	59.9%	7,142	56.4%	$\chi^2 = 92.75$
Informal Supervision	2,359	17.9	2,053	16.2	
Petition	2,933	22.2	3,465	27.4	
GRAND TOTAL	<u>13,194</u>	<u>100.0%</u>	<u>12,660</u>	<u>100.0%</u>	

* $\chi^2 \geq 7.83$
when $\alpha = 0.025$
df = 2.0

TABLE 10

INITIAL DECISIONS ON RE-REFERRALS TO JPD

	1976	Percent	1977	Percent	Chi Square*
300's					
Release w/o court	55	19.2%	87	20.1%	
Petition	38	13.2	104	24.0	
Modified court order	65	22.6	108	24.9	
Order/detention	<u>129</u>	<u>44.9</u>	<u>134</u>	<u>30.9</u>	
Subtotal	<u>287</u>	<u>100.0%</u>	<u>433</u>	<u>100.0%</u>	$\chi^2 = 20.12$ s
601's					
Release w/o court	363	43.9%	58	33.7%	
Petition	322	38.9	72	41.9	
Modified court order	56	6.8	19	11.0	
Order/detention	<u>86</u>	<u>10.4</u>	<u>23</u>	<u>13.4</u>	
Subtotal	<u>827</u>	<u>100.0%</u>	<u>172</u>	<u>100.0%</u>	$\chi^2 = 7.53$ x
602's					
Release w/o court	1,546	39.3%	1,605	36.5%	
Petition	2,172	55.2	2,430	55.3	
Modified court order	99	2.5	267	6.1	
Order/detention	<u>116</u>	<u>2.9</u>	<u>95</u>	<u>2.2</u>	
Subtotal	<u>3,933</u>	<u>100.0%</u>	<u>4,397</u>	<u>100.0%</u>	$\chi^2 = 69.18$
Total					
Release w/o court	1,964	38.9%	1,750	35.0%	
Petition	2,532	50.2	2,606	52.1	
Modified court order	220	4.4	394	7.9	
Order/detention	<u>331</u>	<u>6.6</u>	<u>252</u>	<u>5.0</u>	
Subtotal	<u>5,047</u>	<u>100.0%</u>	<u>5,002</u>	<u>100.0%</u>	$\chi^2 = 72.78$

* $\chi^2 \geq 7.38$
when $\alpha = 0.025$
df = 2.0

TABLE 11

REFERRALS TO YOUTH SERVICE BUREAUS

	1976	%	1977	%	% Change
Youth Services Bureau					
East Valley	1,200	27.3%	1,126	26.3%	- 6.2%
Milpitas	777	17.7	792	18.5	+ 1.9
West Valley	758	17.2	696	16.3	- 8.2
South County	566	12.9	580	13.6	- 2.5
Santa Clara	1,099	25.0	1,085	25.4	- 1.3
TOTAL	4,400	100.0%	4,279	100.0%	- 2.8%
Delinquency Prevention	1,010*		2,186		+116.4%
Youth Services Bureau					
Active Cases	7,623*		9,749		+ 27.9%

* Estimates based on limited data

TABLE 12

COURT UNIT STATISTICS

	1976	% total	1977	% total	% change
<u>Detention Calendar</u> (Referee Only)					
Hearings	4,543		4,780		5.2%
Detained	2,845	62.6%	3,006	62.9%	5.7
Released	1,374	30.2	1,341	28.1	2.4
Continued	291	6.4	342	7.2	17.5
Off Calendar	34	0.7	91	1.9	167.6
Defense Attorney	1,606	35.4	2,114	44.2	31.6
County Counsel Present	0	0.0	0	0.0	--
Dist. Attorney Present	9	0.2	3,370	70.5	373.4
Transfer Out	107	2.4	125	2.6	16.8
 <u>Jurisdiction -</u> <u>Disposition Calendar</u> <u>Department 1</u>					
Hearings	3,261		3,301		+ 1.2%
Defense Attorney	933	28.6%	2,239	67.8%	+ 140.0
Contested Cases	424	13.0	367	11.1	- 13.4
Jurisdiction	[233]		[253]		+ 8.6
Disposition	[191]		[114]		- 40.3
County Counsel Present	1	0.0	3	0.1	+ 200.0
Dist. Attorney Present	576	17.7	2,884	87.4	+ 400.7
Resolved	250	7.7	405	12.3	+ 62.0
 <u>Jurisdiction -</u> <u>Disposition Calendar</u> <u>Department 2</u>					
Hearings	3,363		3,736		+ 11.1%
Defense Attorney	1,965	58.4%	2,520	67.5%	+ 28.2
Contested Cases	394	11.7	383	10.3	- 2.8
Jurisdiction	[226]		[290]		+ 28.3
Disposition	[169]		[93]		- 45.0
County County Present	5	0.1	0	0.0	- 100.0
Dist. Attorney Present	499	14.8	3,236	86.6	+ 548.5
Resolved	238	7.1	398	10.7	+ 67.2

COURT UNIT STATISTICS (CONTINUED)

	1976	% total	1977	% total	% change
<u>Referee</u>					
Hearings	978		989		1.1%
Jurisdictional	516	52.8%	528	53.4%	2.3
Defense Attorney	78	8.0	74	7.5	- 5.1
Contested Cases	2	0.2	36	3.6	+1700.0
Jurisdictional	[0]		[36]		--
Disposition	[2]		[0]		
County Counsel Present	0	0.0	0	0.0	
Dist. Attorney Present	15	1.5	34	3.4	+ 126.7
Resolved	1	0.1	8	0.8	+ 700.0
 <u>Jurisdictional -</u>					
<u>Disposition Calendar</u>					
<u>Total</u>					
Hearings	7,602		8,026		+ 5.6%
Defense Attorney	2,898	38.1%	5,287	65.9%	+ 82.4
Contested Cases	820	10.8	786	9.8	- 4.1
Jurisdictional	[459]		[579]		
Disposition	[362]		[207]		
County Counsel Present	6	0.1	3	< 0.0	- 50.0
Dist. Attorney Present	1,090	14.3	6,154	76.7	+ 464.6
Resolved	489	6.4	811	10.1	+ 65.8
 <u>Judge Pro Tem</u>					
Hearings	57		477		+ 736.8%
Defense Attorney	39	68.4%	343	71.9%	+ 779.5
Contested Jurisdiction	[6]		[47]		+ 683.3
Contested Disposition	[4]		[12]		+ 200.0
District Attorney	16	28.1	417	87.4	+2506.3
Resolved	10	17.5	76	15.9	+ 660.0

COURT UNIT STATISTICS (CONTINUED)

	1976	% total	1977	% total	% change
<u>Downtown Calendar</u>					
Total hours	62.8		158.6		+ 152.5%
Hearings	47		74		57.4
Defense Attorney	41	87.2%	73	98.6%	78.0
Contested Jurisdiction	[7]		[54]		671.4
Contested Disposition	[10]		[4]		- 60.0
District Attorney	28	59.6	73	98.6	+ 160.7
Resolved	6	12.8	0	0.0	--
County council	3	6.4	0	0.0	--

Summary

(All Calendars)

Hearings	12,249		13,357		+ 9.0
Contested cases	847	6.9%	903	6.8	+ 6.6
Defense Attorney	4,584	37.4	7,817	58.5	+ 70.5
County Counsel Present	9	0.1	3	0.0	- 66.7
Dist. Attorney Present	1,143	9.3	10,014	7.6	+ 776.1

TABLE 13

CHILDREN'S SHELTER

	1976	1977	% Change
<u>Boys</u>			
Admissions	659	748	+ 13.5%
Released	623	694	+ 11.4
Average Daily Population	33.5	34.1	+ 1.8
Average Age	8.1	8.2	+ 1.2
Average Length of Entire Stay	23.3	21.0	- 9.9
Resident Days	12,356	12,562	+ 1.7
Hospital	34	42	+ 23.5
Runaways	25	84	+236.0
Out Temporarily	65	136	+109.2
<u>Girls</u>			
Admissions	641	843	+ 31.5%
Released	609	755	+ 24.0
Average Daily Population	32.1	33.3	+ 3.7
Average Age	8.9	9.8	+ 10.1
Average Length of Entire Stay	22.0	18.2	- 17.3
Resident Days	11,607	12,145	+ 4.6
Hospital	32	29	- 9.4
Runaways	41	155	+278.0
Out Temporarily	62	131	+111.3
<u>Total</u>			
Admissions	1,300	1,591	+ 22.4%
Released	1,232	1,449	+ 17.6
Average Daily Population	65.6	67.4	+ 2.7
Average Age	8.5	9.0	+ 5.9
Average Length of Entire Stay	22.6	19.6	- 13.3
Resident Days	23,962	24,707	+ 3.1
Hospital	66	71	+ 7.6
Runaways	66	239	+262.1
Out Temporarily	127	267	+110.2

TABLE 14

DISPOSITION OF RUNAWAYS FROM SHELTER (BY INCIDENT)

	1976	Percent	1977	Percent	% change
Returned	21	31.8%	131	54.8%	+ 523.8%
SAI	1	1.5	12	5.0	+1100.0
Released	7	10.6	28	11.7	+ 300.0
Juvenile Hall or Probation	25	37.9	4	1.7	- 84.0
Other	3	4.5	3	1.3	0.0
Blank	9	13.6	61	25.5	+ 577.8
Total Incidents	<u>66</u>	<u>100.0%</u>	<u>239</u>	<u>100.0%</u>	<u>262.1</u>

RUNAWAY INCIDENTS FROM SHELTER (PER INDIVIDUAL)

<u>Number of Incidents per individual</u>	1976	Percent	1977	Percent
1	50	86.2%	105	68.6%
2	8	13.8	25	16.3
3			13	8.5
4			6	3.9
5			3	2.0
6			1	0.7
Total individuals	<u>58</u>	<u>100.0%</u>	<u>153</u>	<u>100.0%</u>

TABLE 15

JUVENILE HALL ADMISSIONS AND DEPARTURES

	1976	1977	% Change
<u>Boys</u>			
Admission to Juvenile Hall	7,163	6,254	- 12.7%
Departures	7,258	6,194	- 14.7
Child Care Days	73,122	81,274	+ 11.1
Average Daily Population	200.3	222.7	+ 11.2
<u>Girls</u>			
Admission to Juvenile Hall	2,456	1,426	- 41.9%
Departures	2,517	1,437	- 42.9
Child Care Days	22,448	13,972	- 37.8
Average Daily Population	61.5	38.3	- 37.7
<u>Totals</u>			
Admission to Juvenile Hall	9,619	7,680	- 20.2
Departures	9,775	7,631	- 21.9
Child Care Days	95,570	95,246	- 0.3
Average Daily Population	261.8	260.9	- 0.3

TABLE 16

RANCHES ≠

	1976	1977	% Change
<u>James Ranch</u>			
New Admits	174	205	+ 17.8%
Others in	114	74	- 35.1
TOTAL IN	228	279	- 3.1
Graduates	116	136	+ 17.2
Others out	166	122	- 26.5
TOTAL OUT	282	258	- 8.5
Average Daily Population	78.4	88.7	+ 13.1
Child Care Days	28,700	32,298	+ 12.5
Average # Pending Release*	2.7	2.9	+ 7.4
Average # Awaiting Ranch*	13.8	23.5	+ 70.3
<u>H. Holden Ranch</u>			
New Admits	146	206	+ 41.1%
Others in	60	97	+ 61.7
TOTAL IN	206	303	+ 47.1
Graduates	111	136	+ 22.5
Others out	88	149	+ 69.3
TOTAL OUT	199	285	+ 43.2
Average Daily Population	79.8	90.1	+ 12.9
Child Care Days	29,043	32,811	+ 13.0
Average # Pending Release*	6.8	7.8	+ 14.7
Average # Awaiting Ranch*	11.5	21.4	+ 86.1
<u>M. Wright Center</u>			
New Admits	65	93	+ 43.1
Others in	95	31	- 67.4
TOTAL IN	160	124	- 22.5
Graduates	47	35	- 25.5
Others out	121	59	- 51.2
TOTAL OUT	168	94	- 44.0
Average Daily Population	31.7	37.8	+ 19.2
Child Care Days	11,540	12,660	+ 9.7
Average # Pending Release*	N/A	2.0	
Average # Awaiting Ranch*	N/A	4.2	
<u>Total</u>			
New Admits	385	504	+ 30.9
Others in	269	202	- 24.9
TOTAL IN	654	706	+ 8.0
Graduates	274	307	+ 12.0
Others out	375	330	- 12.0
TOTAL OUT	649	637	- 1.8
Average Daily Population	189.9	216.6	+ 14.1
Child Care Days	69,283	77,769	+ 12.2
Average # Pending Release*	N/A	12.7	
Average # Awaiting Ranch*	N/A	49.1	

≠ estimates based on incomplete monthly statistics

* per 4 week period

EXHIBIT 1

JUVENILE PROBATION - ADMINISTRATION SUPPORT STAFF AND OVERHEAD (18 MONTH PERIOD)

Salaries and Fringe ¹ (Administrators and support staff, approximately 37 positions 1/1/77 - 6/30/78)	\$ 1,350,000.00
Equipment, supplies and expenses ²	
January - June 1977: 12.9% of salaries and fringe	\$ 58,050.00
FY 77-78: 16.39% of salaries and fringe	147,510.00
Total	\$ 205,560.00
Countywide Overhead Assigned to Probation ³	
January - June 1977	\$ 381,869.00
FY 77-78	1,563,808.00
Total	\$ 1,945,677.00
 TOTAL JUVENILE PROBATION OVERHEAD	 \$ 3,501,237.00
 Overhead cost per person in Juvenile Probation (540 positions)	 \$ 6,483.77

¹ Estimate of JPD Administrative Services Division.

² Based on ratio of equipment, supplies and expenses to salaries and benefits from 76-77 Actual Expenditures and 77-78 Budget.

³ Supplied by Controller Division of Santa Clara County Finance Department.

EXHIBIT 2
DISTRICT ATTORNEY ADMINISTRATIVE
AND SUPPORT STAFF & OVERHEAD
(18 MONTHS)

Salaries & Fringe¹ (Administrators and
support staff,

Approx. 10 positions, 1/1/77 - 6/30/78 \$ 453,731

Equipment, supplies and expenses²

Jan - June 1977: 0.2% of salaries & fringe \$ 4,537

FY 77 - 78: 0.2% of salaries & fringe \$ 9,075

Total \$ 13,612

Countywide Overhead Assigned to District Attorney³

Jan - June 1977 \$ 239,039

FY 77-78 \$1,108,122

Total \$1,347,161

TOTAL DISTRICT ATTORNEY OVERHEAD \$1,814,504

Overhead cost per person in District Attorney's
Office (179 positions) \$ 10,139.89

¹ Supplied by District Attorney's Office

² Based on ratio of equipment, supplies and expenses to salaries and benefits from 1976 - 1977 actual expenditures and 1977 - 78 Budget.

³ Supplied by Controller Division of Santa Clara County Finance Department.

EXHIBIT 3
PUBLIC DEFENDER - ADMINISTRATION
SUPPORT STAFF AND OVERHEAD
(18 MONTHS)

Salaries & Fringe ¹ (Administration and support staff, 9 positions, 1/1/77 - 6/30/78)	\$492,370
Equipment, supplies and expenses ²	
Jan - June 1977: 7.3% of salaries and fringe	11,981
FY 77-78: 4.8% of salaries and fringe	15,756
Total	<u>\$ 27,737</u>

Countywide Overhead Assigned to
Public Defender³

Jan - June 1977	\$ 26,034
FY 77-78	107,734
Total	<u>\$133,768</u>

TOTAL PUBLIC DEFENDER OVERHEAD

\$653,875

Overhead cost per person in Public Defender's Office (120 persons)	\$ 5,448.96
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¹ Supplied by Public Defender's Office.

² Based on ratio of equipment, supplies and expenses to salaries and benefits from 1976 - 77 actual expenses and 1977-78 budget.

³ Supplied by Controller Division of Santa Clara County Finance Department

EXHIBIT 4
1977 -78 Cost of ONE
SUPERIOR COURT DEPARTMENT

ANNUAL SALARIES

Judge \$49,166 of which County support is	\$ 9,500
Court Reporter (5th step)	22,813
Courtroom Clerk (5th step)	16,672
2 Legal Clerks (5th step)	25,624
Deputy Sheriff (5th step) (Security Officer)	17,871
	<hr/>
Subtotal	\$ 92,480
Fringe benefits	\$ 20,328
Equipment, services and supplies ²	44,559
Overhead ³	55,720
	<hr/>
TOTAL COST/DEPARTMENT	\$213,087

¹See Exhibit .

²39.5% is ratio of services to salaries and benefits from 1977-78 Superior Court budget.

³Superior Court-Administration, Support Staff and Overhead (12 mo.)

Salaries & fringe (4 positions)	\$ 118,632
Equipment, supplies and expenses (39.5%)	46,860
Countywide Overhead Assigned to Superior Court (Supplied by Controller Division of Santa Clara County Finance Department)	1,506,099
	<hr/>
Subtotal	\$1,671,591
Overhead cost per judicial position (30 positions)	55,720

EXHIBIT 5
AB 3121 PROJECT BUDGET

Personal Services	\$ 16,178.42
Workmans Comp	173.87
Travel	878.90
Consulting Services	
Direct Service Contract w/ ETC	35,600.00
Direct Service contract w/ARCC	41,996.15
 CJRS	 32,500
Evaluation	16,500
Criminal Justice Specialist	8,000
Public Education monies for production of youth & family handbook, public service announcements	 31,700
Project Director	23,000
 TOTAL	 \$189,296.15
 Operating expenses	 13,709.74
Equipment	110.92
 TOTAL	 \$220,348.00
 Federal funds	 \$198,313
County match	\$ 22,035

EXHIBIT 6
FRINGE BENEFIT RATES

	<u>76-77</u>	<u>77-78</u>
Group Health Insurance	5.4%	5.6%
Social Security (FICA)	\$895 max or 5.42%	\$965 max or 5.85
Safety Retirement	21.392%	21.392%
Non-Safety Retirement	8.36%	6.92%
Workmans comp:		
Sheriff Office	1.71%	1.13%
JPD	0.47%	0.46%
DA	0.47%	0.30%
Public Defender	0.16%	0.14%
Clerk	0.16%	0.14%
Superior Court	0.16%	0.14%

Supplied by Santa Clara County Department of Finance

APPENDIX B

COMMUNITY EDUCATION

The community education efforts accomplished by Project AB 3121 staff through January 30, 1978 are as follows.

PERSONAL PRESENTATIONS:

Project staff has made 24 presentations. Approximately 794 people have attended these presentations. Attendance has ranged from 8 to 140 people. The average attendance per presentation is 33.

Geographic Area Reached	Number of Presentations	Attendance
San Jose	12	435
East: (5) 295		
South: (3) 64		
Los Gatos	1	40
North County	6	147
(Sunnyvale, Cupertino, Palo Alto, etc.)		
South County	1	33
County-wide	3	131
Out of County	1	8
<hr/>		
Audience Description		
Youths	2	27
Community Groups	5	119
Parent/Teacher Groups	3	194
Professionals	14	454
(agency personnel, teachers, counselors, graduate students, etc.)		

Five resource awareness programs co-sponsored by the Project and the County S.A.R.B.s have been held covering all 33 school districts in the County. This data has been included in the above.

The above data is not precise in that it is based on generalizations of audience characteristics (geographic area and description) and not on individual data.

MEDIA APPEARANCES/COVERAGE

Radio shows	8
(6 public service announcements sent to all local radio stations; Spanish versions sent when appropriate.)	
Television shows	5
Newspaper articles	6

APPENDIX C

STATISTICAL TABLES AND COST EXHIBITS

This appendix provides statistical and expenditure information used by the Evaluation Unit in determining system changes and costs incurred pursuant to the implementation of AB 3121. Individual agencies or units within the agencies maintain data manually in most cases and often in a form that does not conform to calendar year. The manual manipulation of these data introduces an error factor, the magnitude of which is unknown. When calendar year data were not available, estimates were made. Also, the statistical data are influenced heavily by the point in time or place in the process at which the count is made, e.g., the number of petitions at intake is somewhat different from the number actually processed by the Court.

By way of clarification, the following definitions associated with these data are provided:

Court Commits:	Judges' commitment to Juvenile Hall for a weekend or other short term.
Court Hearings:	Represent total detention and jurisdictional hearings.
Modified Court Order:	A form of petition to modify a previous order of the Court when circumstances change, but the juvenile has not necessarily committed a new offense and it can mean a change in placement.
Order/Detention:	A Court decision to temporarily hold a child so that another placement can be effected.
Release without Court:	Practically speaking, the equivalent of settled at intake, i.e., release without formal action.
Re-referrals:	Individuals referred to Juvenile Probation Department (usually from law enforcement) for either new offenses or change in disposition, while on Juvenile Probation Supervision. It is not a measure of recidivism.

TABLE 1

COUNTYWIDE JUVENILE ARREST DATA

	1976			1977			
	Total	Percentage	Rank	Total	Percentage	Rank	% of Change
Petty Theft (M)	5753	24.5	1	5552	25.7	1	- 3.5
Runaway (D.T.)	3461	14.7	2	2236	10.3	4	- 35.4
Burglary (F)	2223	9.5	3	2348	10.9	3	+ 5.6
All Others (M)	1652	7.0	4	2919	13.5	2	+ 76.7
Malicious Mischief (M)	1243	5.3	5	869	4.0	7	- 30.0
Incorrigible (D.T.)	1068	4.5	6	297	1.4	16	- 72.2
Assault & Battery (F)	990	4.2	7	1052	4.9	6	+ 6.2
Marijuana (M)	821	3.5	8	857	3.96	8	+ 4.4
Drug Offense (F)	803	3.4	9	84	.38	23	- 89.5
Loitering/Curfew (D.T.)	776	3.3	10	440	2.0	11	- 43.3
Liquor Offense (M)	763	3.2	11	1148	5.3	5	+ 50.5
Auto Theft (F)	636	2.7	12	473	2.2	10	- 25.6
Grand Theft (F)	500	2.1	13	528	2.4	9	+ 5.6
All Others (F)	490	2.0	14	437	2.0	12	- 10.8
Disturbing the Peace (M)	385	1.6	15	406	1.9	13	+ 5.5
Drunk (M)	381	1.6	16	355	1.6	14	- 6.8
Assault (M)	275	1.2	17	321	1.5	15	+ 16.7
Robbery (F)	271	1.2	18	189	.87	19	- 30.3
Truancy (D.T.)	264	1.1	19	183	.85	20	- 30.7
Weapons Offense (F)	234	.99	20	146	.67	22	- 37.6
Drunk Driving (F)	226	.96	21	240	1.11	18	+ 6.2
Other Drug Offense (F)	156	.66	22	170	.79	21	+ 9.0
Checks, Credit Cards (F)	45	.19	23	54	.25	24	+ 20.0
All Others (D.T.)	31	.13	24	283	1.3	17	+813.0
Glue Sniffing (M)	25	.11	25	43	.20	25	+ 72.0
Homicide (F)	15	.06	26	7	.03	26	- 53.3
TOTAL	23,487			21,637			

***D.T.=Delinquent Tendencies ***M=Misdemeanor ***Felony

TABLE 3

MISDEMEANOR

DISPOSITION BY JURISDICTION

1976					1977			
Within	Other Agency	Juvenile Court Probation	Totals		Within	Other Agency	Juvenile Court Probation	Totals
224	1	907	1132	S.C.Co. Sheriff	158	3	976	1137
0	0	150	150	S.C.Co. C.H.P.	0	0	106	106
134	2	314	450	Campbell	125	0	301	426
166	0	163	329	Gilroy	51	17	182	250
121	0	87	208	Los Altos	104	1	94	199
189	0	119	308	Los Gatos	131	0	156	287
2	0	451	453	Milpitas	4	1	415	420
100	0	84	184	Morgan Hill	124	0	74	198
263	0	77	340	Mt. View	328	0	196	524
307	1	137	445	Palo Alto	200	0	225	425
1401	126	5599	7126	San Jose	1333	1049	5183	7565
26	0	579	605	Santa Clara	57	0	689	746
305	0	405	710	Sunnyvale	159	0	351	510
8	0	7	15	C.S.U. San Jose	14	0	7	21
3246	130	9079	12,455	+2.9%(+359)	2788	1071	8955	12,814

TABLE 4

FELONIES

DISPOSITION BY JURISDICTION

1976

1977

Within	Other Agency	Juvenile Court Probation	Totals		Within	Other Agency	Juvenile Court Probation	Totals
6	2	139	147	S.C.Co. Sheriff	7	1	150	158
0	1	39	40	S.C.Co. C.H.P.	0	0	19	19
6	1	89	96	Campbell	4	0	113	117
20	1	85	106	Gilroy	11	3	106	120
26	0	68	94	Los Altos	11	2	55	68
21	0	47	68	Los Gatos	12	1	86	99
0	0	196	196	Milpitas	0	0	237	237
10	1	52	63	Morgan Hill	26	0	34	60
63	0	68	131	Mt. View	43	0	80	123
126	0	125	251	Palo Alto	69	2	141	212
430	7	3087	3524	San Jose	338	27	3145	3510
8	0	280	288	Santa Clara	22	1	305	328
64	1	355	420	Sunnyvale	45	0	277	322
5	0	3	8	C.S.U. San Jose	6	0	5	11
785	14	4633	5432	-.88% (-48)	594	37	4753	5384

TABLE 5

ARREST BY OFFENSE FOR DELINQUENT TENDENCIES

	1976			City of San Jose			% of Total	1977			City of San Jose			% of Total	Amount/% (Inc./Dec.) San Jose	Amount/% (Inc./Dec.) Santa Clara Co.
	M	F	Total	M	F	Total		M	F	Total	M	F	Total			
Incorrigible	547	521	1068	233	179	412	38.6	151	146	297	71	49	120	40.4	- 71%(- 292)	- 72.2%(- 77)
Loitering	622	154	776	112	25	137	17.7	329	111	440	81	13	94	21.4	- 31%(- 43)	- 43.3%(-336)
Curfew																
Truancy	199	65	264	3	1	4	1.5	130	53	183	6	1	7	3.8	+ 75%(+ 3)	- 30.7%(- 81)
Runaway	1388	2073	3461	1152	1752	2904	83.9	831	1405	2236	729	1192	1921	85.9	-33.8%(- 983)	- 35.4%(-1225)
All Other	24	7	31	11	1	12	38.7	214	69	283	192	66	258	91.2	+2050%(+ 246)	+ 812%(+252)
TOTAL	2780	2820	5600	1511	1958	3469	61.9	1655	1785	3439	1079	1321	2400	69.8	-30.8%(-1069)	- 38.6%(-2161)

TABLE 6

ARREST BY OFFENSE FOR MISDEMEANORS

				City of San Jose			% of Total	1977			City of San Jose			% of Total	Amount/% (Inc./Dec.) San Jose	Amount/% (Inc./Dec.) Santa Clara Co
	M	F	Total	M	F	Total		M	F	Total	M	F	Total			
Assault & Battery	762	228	990	358	127	485	48.9	773	279	1052	442	170	612	58.1	+ 26.2%(+127)	+ 6.2%(+ 62)
Petty Theft	3697	2056	5753	2397	1400	3797	66.0	3535	2017	5552	2290	1274	3564	64.2	- 6.1%(-233)	- 3.5%(-201)
Drug Offense	663	140	803	223	63	286	35.6	70	14	84	19	5	24	28.6	- 91.6%(-262)	- 89.5%(-719)
Weapons Offense	221	13	234	201	13	214	91.4	133	13	146	124	11	135	92.5	- 36.9%(- 79)	- 37.6%(- 88)
Drunk Driving	205	21	226	64	5	69	30.5	203	37	240	63	10	73	30.4	+ 5.8%(+ 4)	- 6.2%(+ 14)
Drunk	308	73	381	129	22	151	39.6	285	70	355	123	31	154	43.3	+ 1.9%(+ 3)	- 6.8%(- 26)
Disturbing the Peace	290	95	385	160	55	215	55.8	332	74	406	226	48	274	67.5	+ 27.5%(+ 59)	+ 5.5%(+ 21)
Glue Sniffing	14	11	25	11	5	16	64	40	3	43	20	3	23	53.5	+ 47.8%(+ 7)	+ 72.0%(+ 18)
Malicious Mischief	1136	107	1243	665	81	746	60	770	99	869	724	94	818	94.1	+ 9.6%(+ 72)	- 30.0%(-374)
Liquor Offense	623	229	763	292	56	348	45.6	918	230	1148	441	104	545	47.5	+ 56.6%(+197)	+ 50.5%(+385)
All Other	1423	229	1652	680	109	789	47.8	2506	413	2919	1121	222	1343	46.0	+ 70.2%(+554)	+ 76.7%(+1267)
TOTAL	9342	3113	12425	5180	1936	7116	57.3	9565	3249	12814	5593	1972	7565	59.0	+ 6.3%(+449)	+ 3.1%(+389)

TABLE 7

ARREST BY OFFENSE FOR FELONIES

	City of San Jose							1977							Amount/%	
	M	F	Total	M	F	Total	% of Total	M	F	Total	M	F	Total	% of Total	(Inc./Dec.) San Jose	(Inc./Dec.) Santa Clara Co.
Homicide	13	2	15	8	2	10	66.6	6	1	7	3	1	4	57.1	- 60.0%(- 6)	- 53.3%(- 8)
Robbery	239	32	271	135	26	161	59.4	160	29	189	99	20	119	62.9	- 26.1%(- 42)	- 30.0%(- 82)
Assault	241	34	275	121	20	141	51.3	263	53	321	163	35	198	61.7	+ 40.0%(+ 57)	+ 16.7%(+ 46)
Burglary	1995	228	2223	1365	147	1512	68.0	2128	220	2348	1390	139	1529	65.1	+ 1.1%(+ 17)	+ 5.6%(+ 28)
Auto Theft	582	54	636	438	33	471	74.1	421	52	473	291	39	330	69.8	- 29.9%(-141)	- 25.6%(-163)
Grand Theft	449	51	500	103	11	114	22.8	453	75	528	117	31	148	28.0	+ 29.2%(+ 34)	+ 5.6%(+ 28)
Checks, Credit Cards, Forgery	28	17	45	12	3	15	33.3	42	12	54	15	5	20	37	+ 33.3%(+ 5)	+ 20.0%(+ 9)
Marijuana	724	97	821	636	78	714	87.0	732	125	857	659	117	776	90.5	+ 9.0%(+ 62)	+ 4.4%(+ 36)
Other Drug Offenses	119	37	156	75	19	94	60.2	129	41	170	83	23	106	62.4	+ 12.8%(+ 12)	+ 9.0%(+ 14)
All Other	442	48	490	223	16	239	48.8	410	27	437	251	29	280	64.1	+ 18.4%(+ 41)	- 10.8%(- 53)
TOTAL	4832	600	5432	3116	355	3471	63.9	4744	640	5384	3071	439	3510	65.2	+ 1.1%(+ 39)	- .88%(-48)

PROJECT AB 3121 E V A L U A T I O N

SECOND INTERIM REPORT

Submitted January 16, 1978

Prepared by:

Kurt Campbell-Mueller
Karen Lang
Wayne Miller
Leonard Zeitz

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I. INTRODUCTION

This is the third progress report on the evaluation of Project AB 3121. The report covers the activities of the REGIONAL CRIMINAL JUSTICE PLANNING BOARD - EVALUATION UNIT from August 20, 1977 to December 31, 1977. In the four months since the last report a number of data collection activities have been pursued which are directed toward the conclusion of the evaluation.

The progress made during the current report period includes:

- Completion of Juvenile Justice System line interviews (36)
- Completion of Police Department line patrol officer interviews (76)
- Ongoing communication with the AB 3121 Project Director and his staff via weekly meetings.
- Ongoing attendance at "Monitoring Meetings" held at the County Executives Office.
- Review of the training evaluation forms administered by the Criminal Justice Resource System
- Review of the training films produced by the Criminal Justice Resource System
- Initiation of service provider interviews with the Emergency Treatment Center and Alum Rock Counseling Center
- Attendance at a number of public education/project activity events
- Ongoing cost analysis data collection has been pursued

The activities listed are covered in more detail in following sections of the report. At the present time, several activities will be concluded during the remainder of the evaluation period. Briefly, these activities will include the following:

- Collection of training records and survey results provided by the Criminal Justice Resource System
- Collection of calendar 1977 intake, demographic and referral data from the Emergency Treatment Center and Alum Rock Counseling Center
- Completion of observations and interviewing at the Emergency Treatment Center and Alum Rock Counseling Center
- Collection of Project documents and activities for the remainder of the evaluation
- Collection of calendar 1977 arrest and disposition data for juveniles from the Bureau of Criminal Statistics (will include all reporting police jurisdictions)
- Collection of public education information for the remainder of the evaluation
- Analysis of information collected
- Submission of the final report

The final report will be delayed beyond the current due date. It will, however, be completed as early as possible and certainly will be issued prior to the conclusion of the Project, which has been extended until March 31, 1978.

II. STAFFING AND TASK RESPONSIBILITY

Since the interim report of August 26, 1977, several important staffing changes have occurred in the evaluation unit.

Ms. Charlsey Cartwright left the Unit on July 15, 1977. From mid-July to the end of September, 1977, Mr. Kurt Campbell-Mueller, a consultant to the Project, carried out the responsibilities of the Research Associate (in relation to the AB 3121 project) on a part time basis. It was expected that a replacement for the Research Associate position would be acquired during September. This did not occur. From October through November, 1977, the Evaluation Unit slowed activities as a result of the staff reduction. On December 5, 1977, Mr. Samuel P. Rutland, Jr., joined the Evaluation Unit as Research Associate. With the addition of Mr. Rutland to the Evaluation Unit, available staff time will increase.

Three additional Research Assistants were added to the AB 3121 evaluation staff, as follows:

- Ms. M. De Mange, Interviewing and Project Observation
- Ms. A. Marquart, Interviewing
- Mr. Emil Rodolfa, Interviewing

The AB 3121 evaluation services of Mr. W. Miller, Mr. V. Tortolano and Ms. B. Brumbaugh continued.

At the close of this reporting period, the Director of the Evaluation Unit, Mr. Leonard Zeitz, announced his resignation effective December 31, 1977. It is anticipated that the Director's responsibilities will be reallocated to the remaining Evaluation Unit staff, until another Director is appointed.

Throughout this reporting period, staffing within the Evaluation Unit has been inadequate for the ongoing needs of the Project evaluation. In the absence of adequate staffing, some data collection activities have fallen behind schedule. This condition delayed the current progress report.

III. EVALUATION UNIT ANALYSIS OF AB 3121 IMPLEMENTATION

The following Sections (A through I) analyze what has occurred since the last interim report and detail expectations regarding the final evaluation report. Within each Section is a statement of the Evaluation Unit activity that was necessary to prepare that Section.

A. Data Collection and Evaluation Design

All data collection forms, procedures, and instruments have been produced for the evaluation. In addition, graphics have been produced for the reporting from law enforcement jurisdictions, community service providers, and the juvenile probation department.

An attitudinal questionnaire was developed for the AB 3121 Project Directors' use in gaining community education feedback from various participants. No additional instruments or procedures have been produced for any other component of the evaluation since the last report was issued.

During the last evaluation period, final statistical reporting forms were developed, which were subsequently used to report program activities of service providers, law enforcement personnel and juvenile justice system personnel.

No other forms, instruments or design functions are anticipated for the remainder of the evaluation.

An addendum to the interim report, which corrects data collected and analyzed for that report, is available upon request to the Evaluation Unit.

B. Project Activities

The AB 3121 Project Director and his staff are currently working toward the conclusion of several basic activities leading to a comprehensive plan for AB 3121 specific services in Santa Clara County.

1. A community-based provider resources inventory covering the greater part of Santa Clara County is currently being concluded.
2. A limited, community oriented assessment of client needs is also presently being conducted. Once the client needs are determined the AB 3121 project will emphasize the availability of non-governmental services.
3. In conjunction with the Criminal Justice Resource System, the AB 3121 Project Director and staff have assisted in the production of three additional training video tapes. Two of the tapes portray the staff, and the capability and modality of services provided by the Emergency Treatment Center and Alum Rock Counseling Center. A third tape portrays the various functions of Project AB 3121 itself.
4. Presentations have been made to a wide variety of organizations and agencies including School Attendance Review Boards, service providers, police, juvenile justice system personnel, various schools and school districts, County departments, and other interested groups.
5. Interviewing, on the part of the Project office, has been conducted with several organizations and agencies including service providers, the Regional Criminal Justice Planning Board staff, staff working on similar AB 3121 projects in other areas (such as the California Youth Authority, Alameda County, Monterey County and San Francisco City and County).
6. Information sharing sessions have been sponsored and conducted by the AB 3121 Project Director's office for providers and users of AB 3121 related services.

7. Analysis of information gathered as part of the resources inventory and assessment is currently underway and should be available as a document in the near future.

C. Project Users

Evaluation activities among project users for the last reporting period have concentrated on juvenile justice system and law enforcement line personnel interviews. In an attempt to understand the practical implications of AB 3121 and the perceptual attitudes of workers in the juvenile justice and law enforcement systems relative to AB 3121, structured interviews were conducted with a stratified sample of individuals from each branch of the system.

The sample drawn was selected from a complete list of probation officers and counselors in each unit.

UNITS	# STAFF	# SAMPLED	%
Intake Units	12	3	25%
Investigation Units	20	5	25%
Screening Units	6	2	33%
Pre-Court Units	26	4	15%
Post-Court Units	77	5	6%
Juvenile Hall Units	68	7	10%
Children's Shelter	22	3	14%
Ranches	39	6	15%
	---	---	---
TOTALS:	270	35	13%

Four clear issues emerged from the thirty-five interviews conducted. The perceived issues are:

- Continued juvenile justice handling of 601's due to rerouting
- Additional legal duties due to intent of AB 3121
- The quality of staff training regarding AB 3121
- The overburdened juvenile justice system

Anyone interested in the responses to the questions can request the supplement to the report which gives each respondents answer to every question. The interviewer's guide used is listed in the appendix of this report. (Previous guides are listed in the interim report.) For the purpose of this report the responses were analyzed and interpreted by a member of Evaluation Unit.

The material following is organized in this manner:

- The general issue is stated, followed by a summation and analysis of the comments made by the interviewee's, and finally referenced to the question in the interviewer's guide which led to the comments. Some of the questions were applicable to more than one issue and thus appear more than once.

1. 601 Involvement

Probation Department line level personnel strongly believe that status offenders are still being processed within the juvenile justice system in a manner in opposition to the intent of AB 3121. This involvement is brought about by rerouting or up grading specific juvenile charges. The ways in which this occurs are:

- i) Classification at intake or by police of a child with a family centered problem as a 602 for a minor criminal offense.
- ii) Bed space limitations cause intake and police personnel to classify 601's as 300's (juveniles can then be housed in a secure facility).
- iii) Frequent runaways from non secure facilities may be reclassified 602 so that they can be held in a secure facility.

The above interpretations are generally agreed with by supervisory personnel in the shelter unit, by members of the post-court unit, by the police personnel interviewed, and, to some extent, by intake personnel interviewed. Top level juvenile probation administrators, the district attorneys and the judges, when previously interviewed, claimed that no rerouting occurs at all.

The questions applicable to the issue of rerouting are Interviewer's Guide questions 3, 4, 3, 12, 12a and 14. They are capsulized as follows:

- i) How AB 3121 affected the unit.
- ii) How AB 3121 changed individual tasks.
- iii) What policies were set forth regarding AB 3121 implementation.
- iv) To what agencies are 601's referred or placed.
- v) Is there any difficulty classifying 300's, 601's, or 602's.

Half of the respondents stated that an intake probation officer or investigation officer might try to convince a police officer to book a 601 child as a 602, even though the alleged criminal offense is considered minor. It was estimated by one individual that, based on observation of their personal caseload, this type of rerouting occurred with one client every two weeks. An example of acceleration from 601 to 602 charges by a probation officer came out of the interviews; one respondent cited a case in which a police officer brought in a youth as a 601. Upon search the individual was found to be in possession of marijuana. The charge was then up graded to a 602 drug offense at the persuasion of the probation officer. Typically, if possession is less than the one ounce limit the citation procedure is preferred and followed by most police officers. It was noted by several subjects that the rerouting decision from 601 to 602 is also made by the police. A typical example of this is where a runaway (601) so harasses the officers that they up grade the charge to 602 based on interference with an officer in the line of duty. These comments are substantiated by reports from secure facility respondents. It is only after subsequent information is obtained that the youngster, originally picked up as a 601, has the charge rerouted to a 602. The 602 charge is frequently of a minor nature as evidenced by the following case citation.

A child picked up as a 601 because so belligerent with police officers that the booking charge was rerouted to 602 based on the suspicion of theft of the juveniles father's cigarette lighter. Ranch respondents estimate that approximately 16% of their present caseload were 601's. Juvenile Hall counselors estimated that approximately 10% of their caseloads were rerouted 601's.

Interviews conducted with administrative staff earlier in the year for the first progress report exhibit a shift in opinion on the question of 601 rerouting on the part of at least one judge and one district attorney. At that time one judge stated that those 601's being re-labelled to 602 were done properly. One district attorney supposed that a 601 might be rerouted to allow for court supervision of the child. No probation supervisor's reported any instances of 601 rerouting. Intake did not comment on the issue of 601 acceleration and the Children's Shelter personnel noted a trend of 601 acceleration to 602 charges.

Most intake line personnel, when asked about available temporary non secure 601 bed space, state that less than 20 such spaces exist. Much of the sample (80% of the intake respondents) noted that screening officers would reroute 601's to a 300 classification if these spaces were all filled. This situation occurs at least one to two times a week, according to several probation officers. However, pre-court, post-court and ranch personnel stated that they were not aware of this type of rerouting.

District attorneys and the top level juvenile probation administrators noted an increase in 300 referrals prior to AB 3121. Their belief is that the increase is not due to 601 rerouting but, rather, heightened public awareness regarding mistreated children. When administration states that rerouting occurs, they claim that only the police officers actually reroute the 601 to the Children's Shelter.

Several intake and shelter respondents have observed yet a third means of 601 rerouting. Practically all probation officers and counselors interviewed claimed that there are frequent runaways from non secure facilities. According to these interviewees if a child runs away several times from the shelter as a 601, then it is possible to re-route them to a 300 or 602, if necessary. Some probation officers describe instances in which criminal offense is found in the runaways case file and the classification is then escalated. One respondent described a recurring runaway case in which a 602 petition was filed against the child for possession of one illegal firecracker. The use of case file review to accomplish 601 rerouting seems to be an isolated incident as no other line personnel or supervisory interviews mention this possibility.

2. Additional Legal Duties Imposed by AB 3121.

AB 3121 greatly expanded the legal role of the prosecuting attorney in regards to 602 violations. The filing of petitions, and participation in juvenile court hearings were previously duties of probation officers and now are the responsibility of the prosecuting attorney.

Some respondents cited additional self-imposed acts performed by probation officers and the district attorneys. These courses of action were viewed to be legal requirements and in conformance to the intent of AB 3121, but were not specified therein. Examples of such actions are:

- i) Emphasis by probation officers on counseling 601's who have emotional problems in order to remove them as quickly as possible from the criminal justice system.
- ii) A tougher attitude toward juvenile law violators by probation officers and district attorneys manifested in fewer instances of 602 releases at intake and more examples of multiple petitions (the filing of several counts against an individual).
- iii) Personnel relying on informal methods which could affect case outcome, i.e., plea bargaining by district attorneys and attempts by the probation officer to select a favorable district attorney.

Most intake probation officers interviewed felt that the intent of AB 3121 was to remove the status offender from the criminal justice system. Attempts to implement perceived intent showed up in answers the respondents gave as to how their individual tasks had changed since the effective date of AB 3121. Several probation officers described an increased emphasis upon working with the 601's problems - by providing more crisis intervention, by referring the 601 to counseling, or by offering alternatives to spending time in a non secure facility.

One such alternative cited by a respondent was the subtle encouragement by a probation officer to remove a 601 from the system prior to the filing of petition (as required after 48 hours) by stating, "I'll see you tomorrow if you are still here." This exchange is not unique and the tenor of it is echoed by supervisors in the intake units who were interviewed previously.

In earlier interviews, judges, district attorneys and public defenders all felt that the intent of AB 3121 was to provide for stricter handling of criminal offenders (602's). This perceived intent has now surfaced in the legal procedure. Two of the intake probation workers interviewed noted a tougher attitude toward 602 violators. Whereas a minor offender might have been counselled and released prior to January 1977, these respondents state that the offender would now be automatically cited or booked. This course of action is consistent with the attitude of interviewed district attorneys who feel that probation officers were too lenient in filing 602 petitions before AB 3121 became effective.

In response to questions regarding perceived changes in the role of the district attorney since the advent of AB 3121, almost every person interviewed from the intake, pre- and post-court units noted a rise in the number of multiple petitions filed for 602 cases. Many respondents cited examples of what they termed "unreasonable" multiple petitions. A district attorney now might file up to 5 counts on a burglary suspect. Before AB 3121 the probation officer normally would have filed a single count, in the same case, for possession of stolen goods. Several intake supervisors stated that the district attorney "files on all alternatives". The district attorneys interviewed claim that they only

file on "every probable count". According to nearly half of the intake group respondents, multiple petitioning has influenced the occurrence of "district attorney shopping". One person estimated that at least daily a probation officer is observed searching for a particular district attorney who has a tendency to file fewer multiple petitions or who shares the view point of the probation officer regarding the seriousness of the case in question. At the supervisory level only one respondent interviewed felt that probation officers "routinely" shopped for district attorneys. Many respondents claimed that the office of the district attorney, because of individual attorney biases, was inconsistent in decision to file a petition. Only one respondent from previous discussions concurred with the above viewpoint. Subjects interviewed responded to the questions regarding changes in court procedures by relating procedures set down by AB 3121 legislation. Most subjects noted that:

- i) The district attorney is now present in court for every juvenile case;
- ii) The prosecuting attorney must sign all 602 petitions;
- iii) The district attorneys are now more involved in the disposition of a case;
- iv) Juvenile court proceedings are much more similar to the adult adversary process; and
- v) The procedure for filing 601 petitions is essentially unchanged.

Nearly half of all interviewed has observed a rise in plea bargaining. District attorneys, when interviewed, stated that plea bargaining does not occur in juvenile hearings. The top level juvenile probation administrators and intake supervisory personnel, however, agreed with line level staff that plea negotiations were occurring more frequently since the advent of AB 3121.

The questions applicable to the issue of additional duties imposed by AB 3121 are Interviewer's Guide questions 5, 6, 7, 9a, 9b, 13a, 13b, 16, 16 a-f.

3. Quality of Staff Training With Regard to AB 3121

The interviews indicated that efforts by supervisory personnel to educate all juvenile probation department and facility counselors regarding AB 3121 were uneven and incomplete. The basis for the above statement is an interpretation of answers to question 2 of the Interviewer's Guide. In addition, responses to the policy/procedure questions of the Interviewer's Guide (8 and 9) and responses regarding the need for training (question 10) are evidence for the above interpretation. Respondents were generally poorly informed and had difficulty relating more than a small portion of AB 3121's legal intent. They also indicated that no single education procedure with regards to AB 3121 implementation was used throughout the Juvenile Probation Department or the placement facilities. While it is expected that some supervisory and line level personnel might disagree on what policies and procedures were set down in their respective units, there also appeared to be some confusion among individual unit respondents as to the instructions they received. Several respondents maintain that legal and technical training is still needed. That opinion is not shared by the majority of administrative personnel.

AB3121 affects both the 601 and 602 offender. Over half of all respondents noted that the law decriminalized 601 status offenders. Few of the intake and court staff specified that the law also requires fitness hearings for serious juvenile criminal offenders. A few (3) respondents felt they didn't understand AB 3121 well enough to comment upon its intent. Earlier interviews with top level juvenile probation administrators and with intake, court and facilities supervisory respondents found one court unit supervisor who could only relate the 601 intent of AB 3121. The remaining subjects were aware of the 601 and 602 changes of the legislation. From the policy/procedure questions all units interviewed indicated that perhaps several different methods were used by individual juvenile probation department units or facilities to disseminate information on how implementation was to be achieved. Approximately 25% of all respondents indicated they received only verbal instructions of legal and departmental policy. Another 25% received written guidelines. Many claimed they received both written and verbal policies and procedures from their unit supervisor. Finally, nearly 10% of the respondents claimed that they had not learned of implementation procedures from supervisors, but rather they had to educate themselves regarding AB 3121, or claimed that they had difficulty absorbing the material as it was presented. This 10% group was composed of intake and court personnel.

Supervisors and line personnel have a difference of opinion as to what policies/procedures were disseminated. While intake administration claimed that no new policies or procedures were put into effect, several intake staff mentioned a policy was issued regarding rerouting 601's to 300's. Other line staff respondents mentioned policy changes which require the probation officer to make contact with a 601 parent before non secure facility placement; and a procedure to allow parents to reclaim 601 children at the Juvenile Probation Department without the probation officers permission.

These responses indicate some confusion within individual units as to what instructions were received. Another example of this type of confusion was found in shelter responses.

In response to Interviewers Guide question (10) approximately 40% of the interviews thought they still needed training on the legal ramifications of AB 3121. These respondents mostly came from the intake, ranch, shelter and hall units. Supervisors from these units, when previously interviewed did not believe much training was necessary to effectively implement AB 3121. Only one probation officer supervisor mentioned a possible need for training still existed. Several line level personnel described the training provided as adequate. However, none of these subjects came from any intake unit. Nearly half of all respondents cited a need for more education in ways to deal with status offenders. Topics of interests were:

- crisis intervention training;
- techniques in counseling 601's and their families; and
- further information regarding community resources available for 601's.

Many intake probation officers called for training to clarify which juvenile cases justified a 300 classification. Shelter, hall and some court supervisors saw the need for crisis intervention instruction. No other line level training suggestions were made by supervisors or by top level juvenile probation administration.

4. Overburdened system

At the intake level, the court level, and the holding facility level, line level interview data indicates that there are too many juveniles and too few staff. For probation officers, the new law has indirectly affected such logistics, as how to transport the child to a non secure facility, and where to interview a 601. In addition, probation officers complain of increases in 601 workloads which must be handled at the same staff level. In court, AB 3121 has caused an increased involvement by the district attorney in criminal case dispositions. With the increases in multiple petitions and filings, the number of contested cases and fitness hearings have gone up, resulting in a clogged court calendar. The interviewed subjects claim that there are no apparent changes in detention hearing outcomes. At the facilities, overcrowding and more serious offenders plague counselors -- who report increases in violence and mental anguish. The Children's Shelter, Hall and Ranches are all reportedly near population capacity or overcrowded. Some respondents claim the overcrowding is related to AB 3121 implementation. The increase in violence has caused counselors to now view their role as a policeman. AB 3121 has indirectly brought about quasi-determinate release dates for ranch committed juveniles.

a) Intake Investigation and Screening

Several probation officers described secondary systemic effects caused by 601 assignment to non secure facilities. One problem issue created is that of transportation of the 601 to a non secure facility. There are evidently not enough vehicles available. This results in the officer frequently either personally transporting the child or waiting until transportation is available. Some probation officers also find themselves "babysitting" because 601's awaiting placement must wait, under supervision, in the non secure part of juvenile centers. An increase in paperwork also accompanied AB 3121 implementation according to many respondents. New forms which must now be filled out include a district attorney worksheet (in which all details of a case are listed) and forms for non secure facilities providing services for the Juvenile Probation Department under contract. Many probation officers state that the number of 601 cases have not changed, but the time spent per case has increased since January 1, 1977. No respondent indicated

that any personnel changes were made as a result of AB 3121 implementation. The intake supervision personnel interviewed noted a decreasing 601 caseload, an increasing 300 workload, and logistical difficulties similar to those observed by the probation officers.

b) Court Units

When asked about changes in court proceedings, many intake and court unit respondents believe that contested case numbers have increased, that more fitness hearings are being called for since January 1, 1977, and that more 602 petitions are being filed. All these comments are supportive of interview statements made earlier by attorneys and Juvenile Probation Department supervisors. Judges, however, did not notice any increase in adversary proceedings. Although few probation officers noted any increase in 602 workload, the intake supervisors stated that the increased time in court led to more work for the line level personnel. Two other line level comments were also not readily agreed with by supervisory personnel:

- Nearly 20% of the probation officers believe that the district attorney's influence in detention hearings has little effect on ultimate disposition; and
- Several probation officers believe the court calendar is backlogged.

Only the intake supervisors thought that case dispositions were not affected. District attorneys, the top level juvenile probation administrators, shelter and hall counselors thought that incarceration time was increasing due to the district attorneys involvement. Judges, district attorneys, and police departments interviewed thought that the calendar was crowded, but not backlogged, as backlogging is not allowed in juvenile court.

c) Children's Shelter, Hall and Ranches

Most counselors interviewed find the overall juvenile make-up in their respective facilities in general to be composed of more serious or violent criminal offenders now as compared to before AB 3121 implementation. Counselors at all three county placement facilities note large increases in population during 1977. Most shelter respondents during 1977 state their facility is overcrowded. There is some disagreement as to whether or not these increases are related to AB 3121. Many probation officers believe that 601 rerouting to 602 and 300 classifications has influenced the populations at Juvenile Hall and at the shelter. A few respondents thought actions by the district attorneys had some effect on the ranch population. Most Ranch and Hall counselors thought

the increases were in effect prior to the passage of AB 3121. According to several Hall counselors there appears to be a rise in "weekenders" (602's who are sentenced to Juvenile Hall for short periods of time) which affects day to day population figures.

Other indirect effects of AB 3121 passage were noted by facility personnel. To comply with the sentencing mandate set by AB 3121 (i.e. that juvenile criminal offenders' sentences parallel those that adults serve for committing like offenses), ranches have instituted a determinant release date system for committed juveniles. The crowded conditions have led to outbursts of violence and mental anguish, according to facility personnel. Shelter and ranch respondents describe their present duties as being more custodial care than counseling. Many Hall counselors describe their present position as being more interactive than prior to AB 3121 implementation, as a result of 601 removal from secure facilities.

Facility supervisors interviewed observed the same population increases since January 1, 1977 that the line level personnel described. The questions applicable to the issue of the overburdened juvenile system are the Interviewers' Guide questions capsulized below:

- Effect AB 3121 implementation has had on individual units (3);
- Effect on individual task (5,6, and 7);
- Changes in the district attorneys role (8a-g);
- Changes in court procedures (9a-b, 13a-b, 16, 16a-f);
- and
- Changes in the secure/non secure facilities (12, 12a-c, 14a-e).

D. Project Training Component

The Criminal Justice Resource System (CJRS) the entity to deliver training services under AB 3121 has been developing training programs with police jurisdictions since May 1977.

At this writing, several police jurisdictions have received training from CJRS. The exact numbers of persons and the total number of jurisdictions involved has not yet been reported by CJRS. When this information is made available to the Evaluation Unit, it will be reported.

In addition to actual training records, CJRS is also administering evaluation questionnaires to training participants. Although completed questionnaires have been reviewed by the Evaluation Unit, any analysis will have to await compilation of the statistics by CJRS.

E. Project Service Component

Administrative and line interviews have been conducted with the Emergency Treatment Center. The administrative interviews with Alum Rock Counseling Center have also been conducted. Line interviews with Alum Rock have not

<u>Police Jurisdiction</u>	<u># Patrol Officers</u>	<u># Interviewed</u>	<u>Percentage</u>
Campbell	27	3	11 %
Gilroy	17	2	11.7%
Los Altos	16	2	12 %
Morgan Hill	14	2	14 %
Palo Alto	44	4	9 %
Stanford University	18	2	11 %
San Jose State University	7	1	14 %
San Jose City College	8	1	12 %
West Valley Community College	9	1	11 %
Los Gatos	14	2	14 %
Santa Clara	59	5	8 %
Sunnyvale	57	5	9 %
Mountain View	25	3	12 %
Milpitas	23	3	13 %
Santa Clara County Sheriff	114	12	10 %
San Jose	<u>276</u>	<u>28</u>	<u>10 %</u>
TOTALS:	728	76	10%

2. Arrest and Disposition Rates

As mentioned in the interim report, arrest and disposition rates for police jurisdictions have been collected for the first six months of 1977. However, not all jurisdictions reported such rates for the first six months of 1977. On the basis of an uneven response from local jurisdictions, it was decided to obtain the entire years' reports of these activities from the Bureau of Criminal Statistics in Sacramento.

The Bureau of Criminal Statistics reports should be available in late February of 1978. When available, the Evaluation Unit will collect these statistics for inclusion in the final report.

H. Community Education/Community Awareness

1. Media Coverage of AB 3121

The evaluation has begun to analyze printed coverage of AB 3121. The California Youth Authority has sent us all clippings on a state-wide basis which discuss AB 3121 issues. As yet no systematic content analysis has been undertaken. This analysis will be done for the final report. At the present time, the evaluation is engaged in:

- sorting the clippings to compare material from Santa Clara County with the remainder of the state;
- arranging the clippings chronologically; and
- abstracting from the clippings material which will ultimately be used for content analysis.

While it is as yet too early to state definitively the trend both in California and in Santa Clara County, the general tenor of the earliest clippings suggest the following:

- a) Headlines imply chaos (i.e. Children Running Wild)
- b) Texts suggest that those involved with children (i.e. police officers, probation officers, directors of child care agencies, etc.) feel that AB 3121 was a well-intentioned law but that its consequences were not well thought through.
- c) Criticisms of the law include:
 - i) financial burdens imposed upon local governments;
 - ii) inability to control "troubled" or "troublesome" youngsters; and
 - iii) heavy burdens imposed upon parents to control these youngsters without institutional support.

The above are generalized trends noted in reading the earliest newspaper clippings. It will be of interest to determine whether this trend persists, as more factual (i.e. empirical) material is brought to bear on the consequences of AB 3121. This will be of particular interest in Santa Clara County, where the AB 3121 County Coordinator (Mr. Robert Hirano) has begun to seek an audience to explore the totality of the new law.

2. Community Awareness/Education Campaign

As mentioned above, Mr. Robert Hirano has begun an intensive effort to gain coverage on AB 3121 from a perspective far different from those who perceive the new law as inducing a form of societal chaos in which "troubled", "troublesome" youngsters are free to roam at will, very much like barbarian hordes. In the interim report (August 26, 1977), it was noted that Mr. Hirano, who became Coordinator for AB 3121 Project in mid-May, was entering into a community awareness/education vacuum. The only formal presentation of the issues related to AB 3121 had been done in early February 1977 in the MACSA coordinated forum. While this in itself was a noteworthy effort, the presentation primarily appealed to practitioners (i.e., agency personnel) and had no broad base within the community.

Since becoming Coordinator, Mr. Hirano has filled the information hiatus by energetic pursuit of media coverage. On 17 September, the Evaluation Unit received from Ms. Lynn Fisher (AB 3121 implementation staff) a list of all local radio and television stations which had been sent six public service announcements pertaining to AB 3121. They are KNTA Santa Clara, KARA, KLIV Santa Clara, KAZA San Jose, KBAY San Jose, KEEN San Jose, KEZR, KXRX San Jose, KOME San Jose, KRBE San Jose, KSJO San Jose, KLOK San Jose, KPEN Mountain View, KGSTC-TV San Jose, KTEH San Jose, and KFAT Gilroy.

Additionally, Mr. Hirano has attempted to make as many radio and television appearances as possible, and to obtain press coverage for his views. Since 26 June, Mr. Hirano or his staff have appeared on three television programs, six radio programs and arranged for press conferences and interviews which were printed in five newspapers and local journals. (For details of these, see: Implementation of AB 3121 Plan Relative to Status Offenders - Quarterly Report 11/4/77).

Such actions are, of course, difficult to analyze in terms of their immediate impact. One minor suggestive note was received by Mr. Hirano on August 9, 1977...when Mr. John David Webster, Public Affairs Director for KBAY sent a letter to Mr. Hirano thanking him for his appearance on that station on August 7, 1977: Mr. Webster states in part, "...several listeners have responded advising that the information provided was very helpful."

On August 30, 1977 Mr. Hirano sent a note to the Evaluation Unit indicating, per our request for such material, that seven phone calls had been received from concerned or distressed parents requiring assistance. These calls were generated by Mr. Hirano's media campaign. Mr. Hirano's statement that, "almost all of the callers were totally unaware of community resources that could aid them with their situations" is indicative of the need for community education.

A number of presentations to community groups have been made. These began June 7, 1977 at a People's Law School seminar entitled "Juvenile Street Rights" and have continued through to the present. The presentations have been made before school groups (i.e. Community of Gunderson Parent Association), quasi-governmental agencies (i.e. Palo Alto Interagency Council), and community groups (i.e. Los Gatos Unitarian Fellowship). (For details see: Quarterly Report 11/4/77).

As part of the community awareness/education effort the Project has been attempting to coordinate the services of service providing agencies. As a preliminary first step, the Project set up a Resource Awareness Program in conjunction with County School Attention Review Boards. These have been held as follows:

- East San Jose School districts: October 19, 1977
- Central San Jose School districts: October 26, 1977
- North County School districts: November 9, 1977
- South County School districts: November 15, 1977.

A member of the evaluation team attended the October 19, 1977 program. The evaluator states: "The focus of the Resource Awareness Program was to present to educators and other interested members of the community various services and referral agencies available in the East San Jose School districts." A number of agencies made presentations (i.e. ARCC, Black Council on Alcoholism, East Valley Free Youth Clinic, Teen Enrichment Center, San Jose Job Corps, Casa Raza). It is the judgement of the evaluator that the questioning which ensued suggested a vital need for such presentations.

On October 31, 1977 the Project provided a forum for approximately 60 service provider agencies to discuss the coordination of youth and family service providers. The plenary session was addressed by Judy Conn of ETC, Robert Hirano and Dina Iguchi of the AB 3121 Project staff. After these opening remarks on the need for coordination, 10 small groups were formed for informal information sharing and discussion of

- d) Ab 3121 Project staff, in preparing a needs assessment 'catalogue' devised a meeting of some 60 service agencies aimed at determining present and future needs, directions, goals, and coordination of services. The meeting revealed a clear need for some manner of disseminating information about agencies, and also a clear need ultimately for some coordinating mechanism. The Evaluation Unit is not optimistic that the AB 3121 Project staff will succeed in its effort at coordination, not because of lack of effort or thought in presenting the meeting. It was evident that much thought and hard work had gone into the preparation of this meeting. It is the Evaluation Unit's judgment that not all participants were concerned or eager to participate. Additionally, the lack of agreement (re: needs for example) militated against the coordinating effort. It yet remains to be seen what AB 3121 Project staff plans for the future regarding coordination.

I. Cost Analysis

The cost analysis of Project AB 3121 is continuing within a somewhat constricted scope. It was originally intended that a cost-impact analysis would be performed of AB 3121 within the jurisdictions affected by the legislation. However, due to the difficulty in obtaining adequate and reliable economic data, this objective has fallen short of expectation.

Instead, a conventional unitary cost analysis will be performed on those jurisdictions providing adequate base line data (i.e. financial and work/case load information). Although this approach is less conclusive than an impact analysis, it will, nevertheless, provide an adequate degree of knowledge regarding direct and indirect implementation costs to the County.

To further this effort, the Evaluation Unit has retained the services of an outside consulting cost specialist, Dr. Robert Saake, who has direct experience with the financial impact of AB 3121 in another area of California. Under the direction of the Unit the cost specialist is currently collecting and analyzing cost specific information for the final report.

Following a two day orientation, Dr. Saake submitted a suggested outline for the cost section and a list of statistical tables.

Additional juvenile probation and court data from the Bureau of Criminal Statistics, covering January through June 1977, have been obtained and analysis for a six year period, 1972 through 1977, has begun. Specific workload and cost information from police and probation interviews was provided by Mr. W. Miller. Tabulation of juvenile probation and court statistics since July 1977 has begun.

An intense effort of data collection and analysis for the final report cost analysis is anticipated during the next several weeks. Data will be sought from the District Attorneys Office, the Public Defender's Office, Juvenile Probations' statistician, Juvenile Hall, Ranches, Court Unit, Children's Shelter, Santa Clara County's Sheriff's Office, Alum Rock Counseling Center, the Emergency Treatment Center, and the Regional Criminal Justice Resource System.

A P P E N D I X

AB3121 INTERVIEWER'S GUIDE
SPECIFIC ISSUES
FOR COURT, PUBLIC DEFENDER, DISTRICT ATTORNEY AND
POLICE LINE PERSONNEL

Hello, my name is _____. I am a consultant working for the REGIONAL CRIMINAL JUSTICE PLANNING BOARD EVALUATION UNIT. We have the responsibility of assessing the impact of AB3121, also known as the Dixon Bill, which became effective January 1, 1977. I would like to ask you a few questions to: a) determine your opinion of the impact of AB3121 on your job, b) to indentify other sources of information that would help us in this assessment, and c) to find out how you think the implementation of AB3121 will change your duties in the future. Of course, your answers will be completely confidential and your name will not be used in the report.

1. What is your title and please outline your duties so that I will have a better understanding of what you do.

2. What is your understanding of the intent of AB3121? Do you agree with the legislation? If not, why not, and what do you think would be a more suitable course of action in handling juveniles?

3. Has the implementation of AB3121 effected your job? In what area?

4. Do you forsesee AB3121 creating chappes in your job in the future?

5. Has AB3121 changed your tasks or the the services you provide as
 _____ (title) _____? By task, can you estimate the difference in the
 amount of time you spend in providing services under AB3121?
6. At what point do you become involved in a 601 case? Has this involvement
 changed since the implementation of AB3121?
7. Has your overall caseload changed? PLEASE EXPLAIN.
8. Has your overall workload changed? PLEASE EXPLAIN.
9. Do you know your agency's policy regarding the implementation of AB3121?
 What are they? Have these policies changed since January, and how? How
 did you find out?
10. Do you have any contact with the District Attorney's office relative to
 AB3121? Has your work with the DA's office changed since the implementation
 of AB3121? If so, describe this change, (filings, multiple petitions, DA
 case review, # of cases rejected for processing, fitness hearings).

11. Has your agency adopted specific procedures to implement AB3121? What are they? How have they changed?
12. Would training, relative to AB3121, be useful to you? What kind?
13. Have you noticed a change in your own morale since you have been working with the AB3121 legislation? In what way? Have you notice any change in your co-workers? In what ways?
14. In your opinion, has AB3121 effected the flow of juveniles through the juvenile justice system? In what ways? Relate these changes to your agency's use of referrals, methods of juvenile contact, joint work with Juvenile Probation Department, etc.
15. Do you notice any differences between the implementation of AB3121 and the prior 601 Diversion Project? Explain. (the 601 Diversion Project began in 1972 and was ended in 1976)
16. Have you had any difficulty in classifying youths as 300's, 601's or 602's? What is your classification procedure? (determine if system is systematic, including criteria used and method of application to youth). If so, what are the difficulties?

PROJECT AB 3121 EVALUATION
INTERIM REPORT

Submitted August 26, 1977

Prepared by:
Kurt Campbell-Mueller
Karen Lang
Wayne Miller
Nancie Yomtov
Leonard Zeitz

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ERRATA

This addendum presents corrections, revisions and additions to the PROJECT AB 3121 EVALUATION INTERIM REPORT submitted August 26, 1977. The draft INTERIM REPORT was received by a number of individuals, many of whom provided sage comments that aided in our understanding of the system and community services. There was a misunderstanding on the part of some readers about the source of some of the information, i.e., opinions were sometimes construed to be statements of fact. In other instances, errors were made by the Evaluation Unit during editing in our rush to publish. Rather than revise the earlier report, this section presents material that clarifies statements in the INTERIM REPORT. We want to thank the individuals who took the time to read and comment on the earlier work as we found many of the suggestions quite helpful.

page III-14, paragraph 5: Reference to the Shelter population should read: "A respondent at the Children's Shelter began to observe an increase in the population and hence an increase in the caseload at the Shelter in January and February 1976. Prior to that time the caseload averaged 45 children; the current average is 65, according to the respondent. Since the implementation of AB 3121, the average age of the children admitted to the Shelter has increased slightly."

page III-17, paragraph 1: Replace this paragraph with:
"The District Attorney is obliged to prosecute all petitions that are filed. There is no way for the District Attorney to know if an application is not filed on unless the arresting officer appeals."

page III-17, paragraph 6: Change sentences 3 and 4 to:
In the past, given the establishment of jurisdiction at the time the minor is charged with three burglaries and admitted to two, probation officers would file a petition on one of the two to avoid unnecessary contested hearings. Juvenile Probation Department policy emphasized the establishment of jurisdiction, and thereby, supervision of the minor."

page III-18, paragraph 1: Change sentence 4 to:
"Since the District Attorney became involved in all 602 matters, judges, district attorneys and others feel that the filing of petitions has been

more consistent, and based more heavily on facts of law than on the individual minor's situation. Others in the Probation Department expressed the opinion that the present standard may be no more consistent than filing on serious charges while not filing on less serious charges, the previous Probation Department policy."

page III-18, paragraph 3: Replace the paragraph with:

"If a minor is in custody, a petition must be filed within 48 hours after having been taken into custody, excluding non-judicial days, or the child must be released. A detention hearing on a minor in custody must be held before the expiration of the next judicial day after the petition has been filed to declare such minor a ward or dependent child.

page III-19, paragraph 3: Begin this paragraph:

"In the opinion of some respondents in the Juvenile Probation Department, the success of Community Release..."

page III-23

Eliminate paragraphs 2 and 5.

page III-24, paragraph 2: Change sentence 2 to:

"It was the opinion of some respondents that state licensing requirements for foster or group homes are easier to satisfy than for institutional placement facilities and the Juvenile Probation Department can exert more control and direction upon the minor."

page III-24, paragraph 4: Add:

"There is a difference of opinion among Probation Department personnel as to whether the change from distant out-of-county placements to more local placements is related to the relocation of institutions."

page III-33, paragraph 8: Change sentence 1 to:

"In the past the probation officers felt the establishment of jurisdiction was the critical issue, and therefore, filed only the single count petition." In the opinion of Probation, once the court had jurisdiction, supervision and rehabilitation could occur.

page III-69, Table VIII: The totals are misleading and should be disregarded. Replace footnote with:

"*These data differ from those on page III-67, because these numbers reflect history of running away. The number of incidents of runaways for the group having run away at least once during January through June 1977, was tallied for one year period July 1976 through June 1977, and compared to the number of incidents of runaway between January and December 1976, for those children having runaway at least once between June and December 1976."

page III-77, paragraph 3, third line: Should read \$2.00 NOT \$21.00.

page III-79, paragraph 2, last line: Should read \$1,200.00 NOT \$12.00.

page III-90, paragraph 2: At the end of the Superior Court Cost Analysis add: "Assuming the use of a pro tem judge continues at no increase in time, the cost for fiscal year 1977-78 will be \$78,960.00."

page III-96, paragraph 1: Change sentences 3, 4 and 5 to:
"The Alum Rock AB 3121 budget and expenditures for the first six months of 1977 are summarized on EXHIBIT VII. Counseling services were paid at \$29.00 per unit of service, while temporary shelter costs were reimbursed at actual cost. The counseling or temporary shelter budget could have been used for either service; in fact, all this money was used for temporary shelter and support services. More detailed information on community services costs will be sought for the final report."

page III-97: Insert EXHIBIT VII (following page).

page III-98, EXHIBIT V: Add to INDIRECT COLUMN: (note: the totals are correct)

"\$25,067 for pro tem Court
\$19,548 for Sheriff's Office"

CHAPTER I

CHAPTER I: INTRODUCTION

This is the first of two major milestone reports on the evaluation of Project AB 3121. As the interim report, this document portrays the data collection activities of the Evaluation Unit from July 9, 1977 through August 19, 1977.

In the six weeks since the first progress report, many data collection activities have been pursued, including:

- Interviews of all juvenile justice administrative personnel (system wide).
- Interviews of all law enforcement administrative personnel.
- Initiation of juvenile justice line personnel interviews (in process).
- Collection of all aggregate data from January through June 1977 for the Emergency Treatment Center and Alum Rock Counseling Center.
- Completion of the case-by-case data search from January through June 1977 for ETC and ARCC.
- Partial completion of law enforcement arrest and disposition data from January through June 1977.
- Completion of program level data within juvenile probation and the courts.
- Partial collection of cost analysis information from the juvenile justice system as a whole, as well as project specific costs.
- Partial completion of a community resources inventory in the project area identifying current providers available to status offenders.
- An assessment of the Criminal Justice Resource System's development of training within and without the juvenile justice system.
- Completion of the juvenile justice system flow chart.
- Completion of all major data collection forms and instruments for use in the Project.

Since the first report, the evaluation effort has resulted in considerable enrichment of data relative to the Project. Considering the fact that data collection was not possible until contract funds were received (in June 1977) the field collection effort has been very successful. However, at the mid-point in the project year, several data elements need to be completed by the second progress report (October 1977 due date). Briefly, information gathering will be completed for the October report in the following areas:

- Completion of law enforcement arrest and disposition data.
- Completion of juvenile justice line personnel interviews.
- Continued collection of cost analysis information within and without the project.
- Completion of the community resources inventory and production of the results in a manual.
- Continued teaching of the Criminal Justice Resource System training efforts.

In addition to the activities already underway, the Evaluation Unit will also complete data collection and compilation in the following new areas:

- Completion of law enforcement line personnel interviews.
- Completion of training component observations, as well as continued collection of training records.

Looking toward the future, all basic data collection should be completed for the second progress report. Ongoing information collection of course will not be completed until after the conclusion of the project year.

CHAPTER II

A. Staffing and Task Responsibility

As mentioned in the First Progress Report, Ms. Cartwright left the Evaluation Unit until July 1978. She is currently on "loan" to the Office of Criminal Justice Planning. In the interim, Mr. Campbell-Mueller, a consultant on the project, has been given overall responsibility for reporting on AB 3121. Karen Lang and Leonard Zeitz have also been instrumental in providing direction to the evaluation. As of this date, no replacement has been acquired to perform the duties previously maintained by Ms. Cartwright. When this position is filled, primary responsibility for the evaluation of AB 3121 will again be provided by Evaluation Unit Staff. It is expected that the vacant position will be filled in September of this year.

Until a replacement is acquired, overall task responsibilities will be provided as follows:

<u>TASK</u>	<u>RESPONSIBILITY</u>
Data Collection & Evaluation Design	Mueller, Lang, Zeitz
Project Activities	Zeitz, Hirano
Project Users:	
Interviews	Mueller, Lang
Collect Written Procedures	Lang
Project Training Component	Zeitz
Project Service Component	Mueller
Other Community Agencies	Zeitz
Arrest and Disposition Rates	
Law Enforcement/Jail	Mueller
Probation/Courts	Lang
Public Education	Zeitz
Cost Analysis	Lang

At the present time there are four Research Assistants working on elements of data-collection and comilation relative to the evaluation. The assistants names and primary tasks are given below:

- a) BERNITA BRUMBAUGH: law enforcement projections, compilation of law enforcement agency data and interviewing.
- b) WAYNE MILLER: law enforcement and juvenile justice interviews, and a preliminary report on interview contact and issues among law enforcement agencies.
- c) VINCENT TORTOLANO: preliminary and final instruments, data-collection and compilation among project service providers.
- d) NANCIE YOMTOV: juvenile justice interviews and preliminary write-up of the contact and issues identified in the interviews.

Typing, clerical support and general office needs have been provided on a one-fourth time basis by Ms. Jerre Jackson, the Evaluation Unit Secretary.

CHAPTER III

One of the objectives of the evaluation is to analyze changes in the juvenile justice system resulting from AB 3121. Three techniques have been used to arrive at an understanding of the changes which occurred in the first half year after implementation: flow chart development, extensive interviewing and data analysis. This section presents a revised juvenile justice flow chart, a detailed description of the formal justice process, and results of many of the project user interviews. The data analysis of arrest and disposition is presented in Section Seven. Juvenile justice processing information is presented in this section.

The flow chart visually displays the processing of 300, 601 and 602 cases through the formal juvenile justice system. The narrative accompanying the chart describes the procedures, decision options, and nature of the occurrences within each procedure. This lengthy description includes information on the changes in procedures brought about by AB 3121. Although a pre and post flow chart of this process was initially envisioned, upon further study it became clear that the new legislation's impact altered the flow in only one major way -- 601's were no longer to be housed in secure facilities. A pre AB 3121 flow chart did not seem necessary to describe this change. The law has been instrumental in changing the number of juveniles processed in particular ways, however, and in altering the nature of the adjudicatory processes. These changes are described herein in descriptive form and statistical tables.

DEFINITION OF TERMS

Court Commits:	Judges' commitment to Juvenile Hall for a weekend or other short term.
Court Hearings:	Represent total detention and jurisdictional hearings.
Modified Court Order:	A form of petition to modify a previous order of the Court when circumstances change, but the juvenile has not necessarily committed a new offense and it can mean a change in placement.
Order/Detention:	A Court decision to temporarily hold a child so that another placement can be effected.
Release without Court:	Practically speaking, the equivalent of settled at intake, i.e., release without formal action.
Re-referrals:	Individuals referred to Juvenile Probation Department (usually from law enforcement) for either new offenses or change in disposition, while on Juvenile Probation Supervision. It is not a measure of recidivism.

- A. Since the first progress report of July 8, 1977, a wide range of data has been collected within and without the juvenile justice system. In contrast to the early developments in the evaluation, the Interim Report is rich in information collected from youth providers.
- B. In general, the data collection pursued between July 8 and mid-August has provided information from the following sources:

- Juvenile Probation program data
- Juvenile Probation administrative interviews
- Juvenile Court data
- Juvenile Court interviews
- Juvenile Placement data
- Juvenile Placement administrative interviews
- AB 3121 Project data
- Law enforcement arrest and disposition projections through 1980
- Law enforcement arrest and disposition data for 1976
- Law enforcement arrest and disposition data for the first half (January 1 through June 30, 1977)
- Law enforcement administrative interviews
- ETC and ARCC aggregate program data for 1976 and the first half of 1977 (January 1 through June 30)
- ETC and ARCC case-by-case (10% of total caseload) data search
- Initial assessment of other community providers
- Cost data for all components of Project AB 3121
- Cost data for related services within the juvenile justice system

Information that has been collected from the foregoing sources have been compiled and included in the relevant sections of progress by work task.

- C. Overall, there have been no changes in the design of data collection since the first progress report. However, several new instruments have been developed and utilized in the task of information collection, as follows:

- Interviewer's Guide A (general and specific questions)*
- Interviewer's Guide B (general and specific questions)*
- Data Coding Form (ETC and ARCC)
- Data Coding Table Formats (ETC and ARCC)
- Data Coding Form (Law enforcement)
- Data Coding Instructions (Law enforcement)
- Agency Contact Form (resources inventory)
- Questionnaire for evaluation of Project presentations.

* The Appendix contains these two general guides with questions about issues associated with particular criminal justice positions. The subjective nature of the inquiry of the evaluation and response of criminal justice professional made the formulation of specific standard questions difficult. Each interview was different and often new lines of inquiry presented themselves in the course of the interview without having been planned in advance. Some of the criminal justice personnel had less time to devote to the interview, as well, in which case the guide was truncated to cover only the general concerns. Even so, each individual was asked similar questions, the answers of which were comparable.

- D. Information collection in the field has proceeded without major incident. Some law enforcement data for 1977 has yet to be reported to the Evaluation Unit, however no problems are foreseen in continuing to gather this data. Some law enforcement agencies have forwarded juvenile information, but did not provide the standard reporting criteria developed by the Bureau of Criminal Statistics. Letters will be sent to these departments to solicit the additional information in time for the second progress report.

SECTION TWO: PROJECT ACTIVITIES

A. Advocacy Focus on Community Providers

The Project Coordinator was hired on May 16, 1977, nearly six months into the funding year. Aside from interim contracts with the Alum Rock Counseling Center and the Emergency Treatment Center for crisis counseling services, very little else had been completed. The Coordinator established an office at 45 Santa Teresa Street in San Jose and hired a secretary. His initial work tasks centered around finalizing contracts with the various components of the project and providing a coordinated direction for the project.

Preliminary findings by the Coordinator indicated that there was very minimal awareness in the County by service-providing agencies, youths, parents, and law enforcement personnel about the new legislation and the County's response to it. Thus, much initial emphasis was placed upon making an intensive media and publicity effort which is elaborated upon in the media section of this report.

Additionally, preliminary talks between the Coordinator with service providers throughout the County indicated a need for more coordination among community-based service providers and existing County agencies providing youth and family services.

The Coordinator, consequently, put an emphasis upon establishing more communication among service providers, County agencies and law enforcement personnel.

1. Tasks Completed:

- a) The Coordinator has set up training sessions with the Juvenile Probation Department and Alum Rock Counseling Center and Emergency Treatment Center staff to meet with all JPD personnel involved in 601 processing.
- b) Altered CJRS police training process to include law enforcement personnel in taping of training films as well as to have community-based resource agency staff present at viewings of tapes at appropriate police jurisdictions to answer questions, become visible, and develop working relationships.

2. Meetings Attended for Coordination Purposes:

- a) County S.A.R.B. Legislative Meeting re AB 3121, 5-20-77
- b) Casa S.A.Y. Staff Meeting, 7-25-77
- c) County S.A.R.B. Alternatives Committee Meeting, 8-11-77
- d) Emergency Treatment Center Staff Meetings
- e) Alum Rock Counseling Center Staff Meetings
- f) RCJPB Evaluation Unit/Project Coordinator Meetings once per week since 6-28-77
- g) Monitoring Committee Meetings once per week since 5-26-77
- h) Child and Adolescent Advisory Commission Meetings once per month since 6-2-77

3. Agencies Contacted for Planning Purposes:

Rehabilitative Mental Health Services, Glenn Robertson, Asst. Dir.
 MACSA, Mary Raw
 SJPD, Juvenile Division, Lt. Tambolini
 JPD, Children's Shelter, Mill Garret
 DSS, Child Protective Services, Bernie Farcas
 Commission on the Status of Women, Rina Rosenberg
 The Bridge Counseling Center, Manuel Costa, Director
 Casa S.A.Y., Alan McMurtney, Director
 Sun Porch, Vickie Lee, Director
 South County Crisis Counseling Center, Jim Poggi, Director
 Palo Alto Interagency Council
 Mathson Community School, Ed Villagran, Director
 Easy Rider Community Center, Christy Fisher
 JPD, Juvenile Hall, Louis Serrati
 Palo Alto Adolescent Services, Sherry Miller, Director
 Social Advocates for Youth, Debra Manchester, Director
 West Valley Youth Service Bureau, John Cavalli, Director
 Alum Rock Counseling Center, George Doub, Director
 Emergency Treatment Center, Diana Everstine, Director
 Webster Center, Tony Casadonte, Director
 Palo Alto PD, Marge West, Social Worker
 Juvenile Court Schools, Janet Enright
 County Program Planning and Evaluation Unit
 County Needs Assessment Unit (Human Services Planning)

B. Resource Inventory

In assessing existing resources and in developing a resource manual for the use of youths and parents, community agencies that may be of service to status offenders and their families have been contacted. One hundred ten letters introducing and explaining the Project were sent to agencies and their branches. The Project staff is in the process of interviewing by telephone and visiting some of these agencies. The following is a list of agency contacts made to date.

<u>Agency</u>	<u>Intro. Letter</u>	<u>Tel. Interview</u>	<u>Agency Visit</u>
A.C.T.	X		
ADULT & CHILD GUIDANCE CLINIC	X		
ALUM ROCK COUNSELING CTR.		X	X
AMERICAN CIVIL LIBERTIES UNION	X		
AMERICAN YOUTH HOSTELS	X		
ARBUTUS	X		
ASIAN COUNSELING CTR.	X		
BAY AREA BIG SISTERS	X		
BECAUSE OF YOUTH	X		
BIG BROTHERS AGENCY	X		
BIRTHRIGHT	X	X	

<u>Agency</u>	<u>Intro. Letter</u>	<u>Tel. Interview</u>	<u>Agg. 2/ Visit</u>
BOOTH MEMORIAL HOME	X	X	
BORIEVA ASSISTANCE CTR.	X	X	
BOYS CITY BOYS CLUB	X		
BRIDGE COUNSELING CTR., THE	X	X	X
BUDDY PROJECT	X		
CASA S.A.Y.	X	X	
CASA RAZA	X	X	
CATHOLIC SOCIAL SERVICES	X	X	
CATHOLIC YOUTH ORGANIZATION	X		
CENTER FOR LIFE	X	X	
CHILD HEALTH & DISABILITY PROGRAM	X	X	
CHILD SEXUAL ABUSE TREATMENT PROG.	X		
CHILDREN'S HEALTH COUNCIL	X		
CHILDREN'S HOME SOCIETY	X	X	
CHOICE	X		
COMMUNITY HEALTH ABUSE COUNCIL	X	X	
COMMUNITY LEGAL SERVICES	X		
COMMUNITY MONITORIAL SERVICES	X	X	
CRITTENTON FRIENDS	X	X	
DEVELOPMENTAL SERVICES FOR CHILDREN	X		
EAST VALLEY FREE YOUTH CLINIC	X	X	
EAST VALLEY YOUTH SERVICES	X	X	
EASTFIELD CHILDREN'S CTR.	X	X	
EMERGENCY TREATMENT CTR.		X	X
FAMILY PLANNING ALTERNATIVES	X		
FAMILY SERVICES ASSOC.	X	X	
FILIPINO SERVICE CTR.	X		
FLORENCE CRITTENTON SERVICES OF SF	X		
LDs SOCIAL SERVICES	X	X	
LEARNING HOUSE	X		
EASY RIDER COMMUNITY CTR.	X	X	X
MACSA	X		X
MATHSON COMMUNITY SCHOOL			X
MILPITAS YOUTH CTR.	X		
MOSQUITOS EASTSIDE ACTION CLUB	X		
NAT'L CONFERENCE OF CHRISTIANS & JEWS	X		
N.E.W. HOUSE	X		
ODD FELLOW-REBEKAH CHILDREN'S HOME	X		
OUR HEALTH CTR.	X		
PALO ALTO ADOLESCENT SERVICES	X	X	X
PARENTAL STRESS HOTLINE	X	X	
PARENTS WITHOUT PARTNERS	X		
PATHWAY DRUG ABUSE COUNCIL	X		
PENINSULA CHILDREN'S CTR.	X		
PLANNED PARENTHOOD ASSOC.	X		
PREGNANCY CONSULTATION CTR.	X		
REHABILITATIVE MENTAL HEALTH SER.	X	X	X
SJS UNIV., SCHOOL OF SOCIAL WORK	X		
SPEDY	X	X	
SALVATION ARMY COM. YOUTH SERVICES	X		
SAN JOSE JOB CORPS	X		

<u>Agency</u>	<u>Intro. Letter</u>	<u>Tel. Interview</u>	<u>Agency Visit</u>
SAN JOSE RESCUE MISSION	X		
SOCIAL ADVOCATES FOR YOUTH	X	X	
SOUTH COUNTY ALTERNATIVES	X	X	
STANFORD MID-PENINSULA URBAN COAL.	X		
SUN PORCH	X		
TIERRA NUESTRA	X	X	X
UNIV. OF SC, LAW CLINIC	X		
VIETNAMESE AMERICAN ASSOC.	X		
VOICE	X		
VIOLET RICE HOME	X	X	
VOLUNTARY ACTION CTR.	X	X	
WOMA	X		
WILSON HOUSE	X	X	
WOMEN IN COMMUNITY SERVICE	X	X	X
WOMEN'S COMMUNITY CLINIC	X		
YMCA	X		
YWCA	X		
YOUTH ADVOCATES SERVICES	X	X	
YOUTH CAREER ACTION PROGRAM	X		
YOUTH EMPLOYMENT SERVICES	X		
YOUTH SERVICE BUREAUS			
SANTA CLARA	X		
SOUTH COUNTY	X	X	
WEST VALLEY	X	X	X
MILPITAS	X		

C. Media Coverage of Project

1. Coordinator's Television Appearances:

- a) KQED (Channel 9), "Open Studio," June 17 (taped)
Appeared with Palo Alto Adolescent Services Staff.
- b) KCSC (Channel 36), "It's Your Affair," June 26 (aired)
Appeared with George Doub of Alum Rock Counseling Ctr.
- c) KNTV (Channel 11), "En La Comunidad," August 7 (aired)
Appeared with George Doub of Alum Rock Counseling Ctr.
and Juan Barrientes of Casa Raza.

2. Coordinator's Radio Appearances:

- a) KBAY, "Dialog," August 7 (aired)
Appeared with George Doub and Josie Lopez of Alum Rock
Counseling Ctr.
60-second public service announcements aired on KBAY.
- b) KXRZ, KEZR, "Scope, Unlimited," August 20 and 21 (aired)
Appeared with Diana Everstine of Emergency Treatment Ctr.
and Jose Montes de Oca of Alum Rock Counseling Ctr.

- c) The Coordinator is scheduled to appear on talk shows on KLOK, KFAT, and KOMF. Public service announcements will be distributed to local radio stations.

3. Newspaper Coverage:

- a) San Jose Mercury, "Judge Says County Shelter Has Juvenile-Law Recourse," July 13.
- b) Palo Alto Times, "New Law Puts Responsibility for Child Back on Parent," July 14.
- c) San Jose News, "No Spurt in Youth Crime Under New Juvenile Law," July 25.
- d) San Jose News, "Editorial: Bypassing Big Brother," July 26.
- e) San Jose Mercury, "Runaway Law Not Causing Trouble Feared," July 27.
- f) The San Jose Post-Record, "New Codes Apply to Juveniles," August 2.

The Coordinator was either a primary or secondary source of information for the above articles.

D. The Monitoring Committee

The Monitoring Committee is composed of staff personnel from J.P.D., Mental Health, D.S.S., the Child and Adolescent Advisory Commission, the Program Planning and Evaluation Unit of the County Executive's office and the directors of Emergency Treatment and Alum Rock Counseling Centers. The coordinator of the AB 3121 Project has evolved the Committee's focus to more of an advocacy one for coordination of youth services county-wide.

The Monitoring Committee has met once per month since January. The Committee has developed a standardized monitoring form for data retrieval and impact information. At the July meeting, presentations by the various components of the Project were made to the Committee. The August meeting will focus on foster care delivery in the County. Appropriate personnel from J.P.D., Foster Home Licensing and D.S.S., Boarding Homes and Institutions have been invited to discuss the issues.

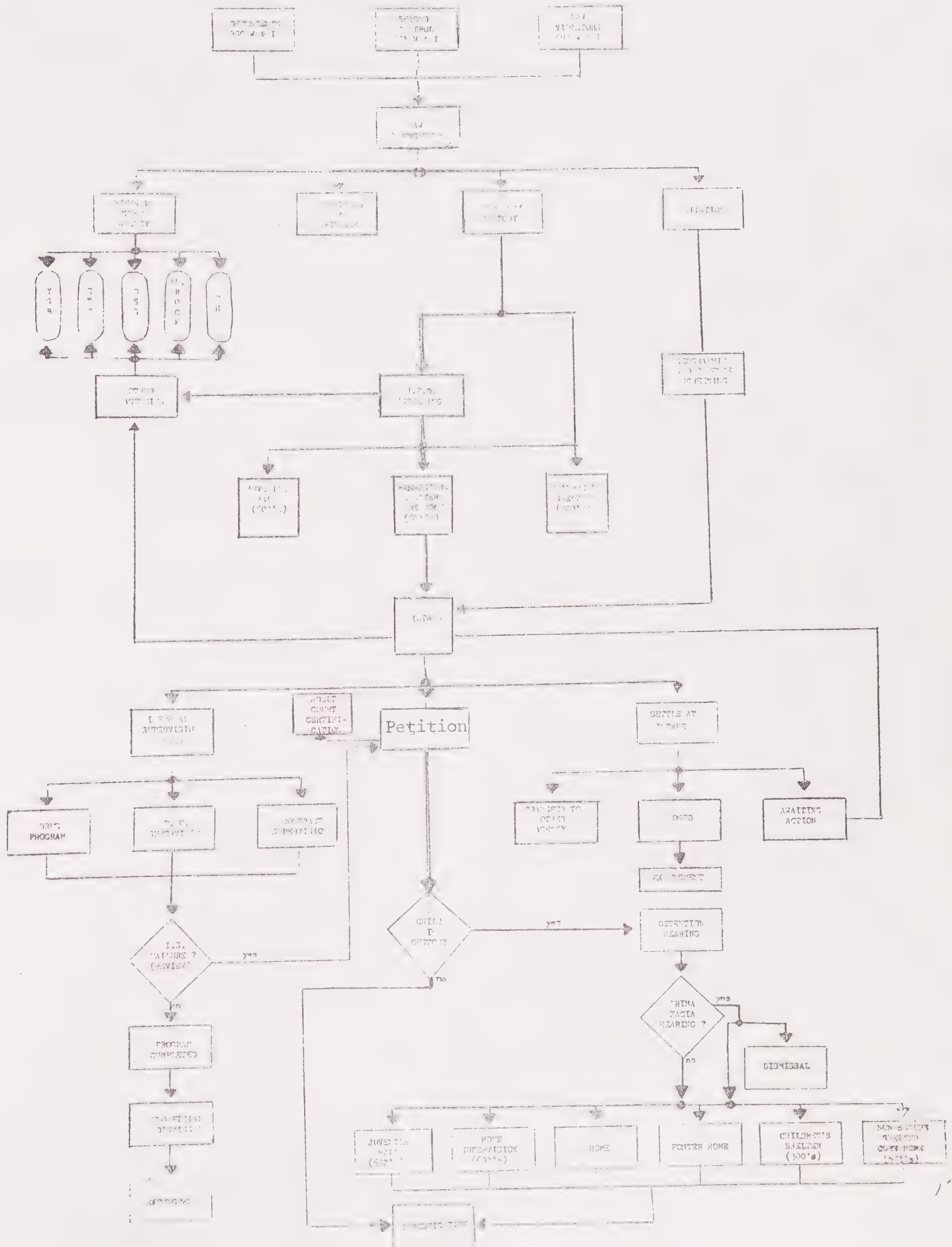
E. The Santa Clara County Child and Adolescent Advisory Commission

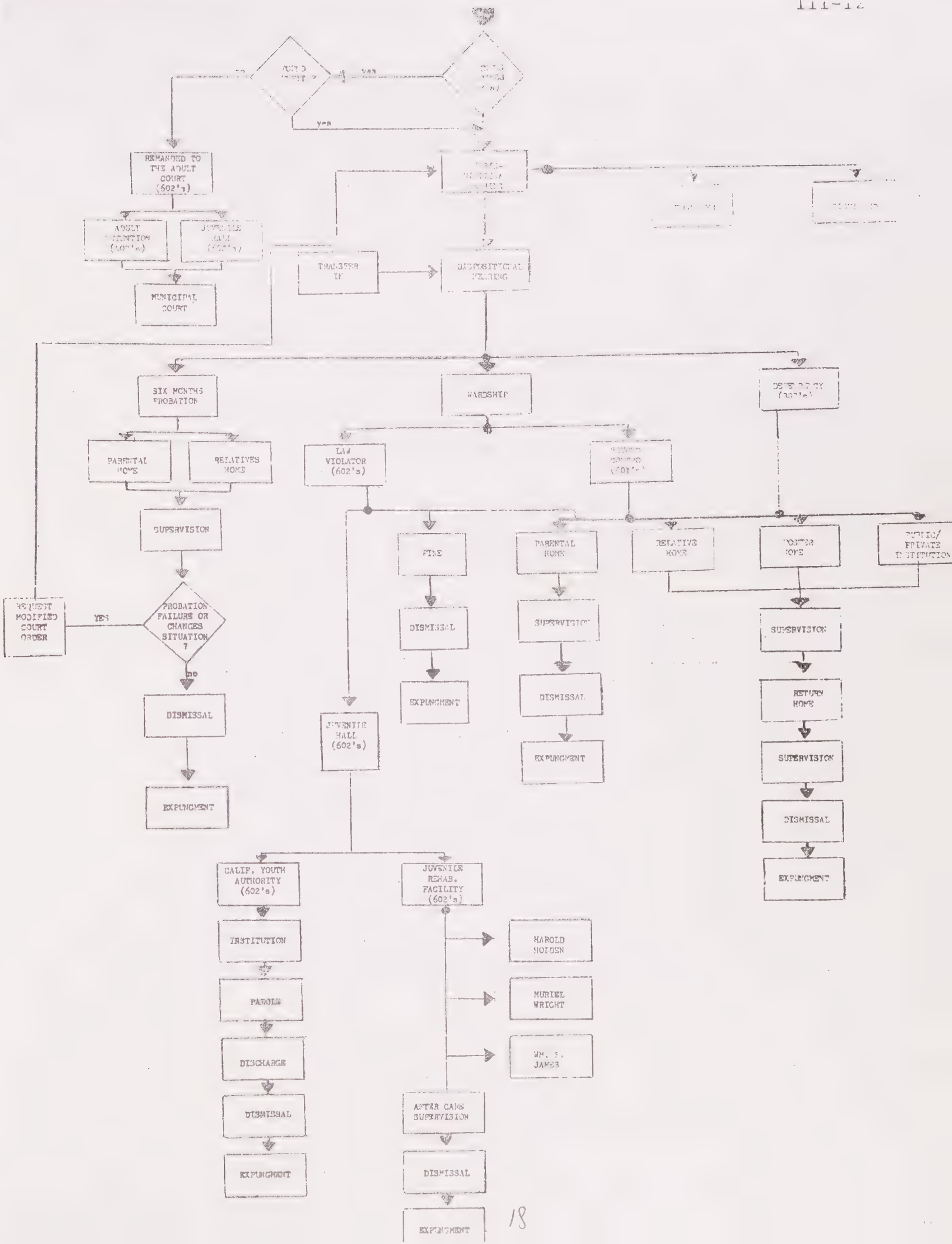
The Child and Adolescent Advisory Commission is the policy guidance body for Project AB 3121.

The Commission formed a committee to screen and interview applicants for the position of Project Coordinator. This committee was composed of five Commissioners and two staff members of the Program Planning and Evaluation Division.

The Coordinator gives staff reports regarding progress and findings of the planning effort to the Commission at the monthly meetings. At the June meeting he suggested the formation of a Project AB 3121 committee of the Child and Adolescent Advisory Commission. The committee was formed and met once, thus far, on June 28. The committee is composed of Commissioners Gertrude Conrad, Arnold Susman, and Barbara Emerich.

J U V E N I L E J U S T I C E P R O C E S S





Using the discretion given by law, these agencies may refer youth to a wide range of other agencies, an option which conceivably should increase with the implementation of the provisions of AB 3121. There are over one hundred agencies that receive police referrals in Santa Clara County. Among those regularly used by law enforcement are crisis counseling agencies (e.g., Emergency Treatment Center and Alum Rock Counseling Center, Social Advocates for Youth, the Youth Service Bureaus, Department of Social Services, Mental Health, Webster Center, etc.).

Law enforcement may also decide to handle the matter within a police agency (by reprimand, release or referral). The federally funded 601 Diversion Program, operating in virtually every police agency in the County, has succeeded in diverting two-thirds (2/3) of all status offenders from the formal juvenile justice system since its inception in 1972. Its purpose is to resolve these "family centered" problems at the earliest point possible in the juvenile justice process, thereby providing an early exit point.

The other two options available to police involve further penetration into the juvenile justice system, namely a referral to the Juvenile Probation Department (JPD), where the minor may or may not be placed in custody. The facility selected for in-custody minors is dependent upon the classification of the case -- 300, 601 or 602.

The police have the option of booking a 602, law violator, into Juvenile Hall, which will receive youth 24 hours a day, 7 days per week. Juvenile Hall, which is a secure facility, may not refuse to admit a 602 offender, but does have an operating capacity of 302 youth which it will not exceed. At present there are six boys units and one girls unit of approximately 50 youth each. The Hall is staffed by 67 group counselors and 80 part-time counselors in addition to the administrative and supervisory staff. The Hall also operates a school on the premises.

A large proportion of the youth admitted to the Hall leave after 72 hours and those that remain present the most difficult behavior problems. Although the Hall is a secure facility they are not equipped to handle assaultive behavior, and at times, they may choose to house certain aggressive youth at adult facilities. The Hall may also occasionally house remanded offenders awaiting trial in the adult court as a courtesy and with the approval of the juvenile court judge.

Practically speaking, the police, JPD, and the courts are quite sensitive to the rise and fall of the population of Juvenile Hall and when the number of youth at the facility begins to climb mechanisms to relieve the pressure at the Hall come into play. In the recent past the population of youth at Juvenile Hall went up, as many were awaiting placement at the County's Juvenile Rehabilitation Facilities (Ranches). To reduce this population at the Hall, the Ranches released some youth earlier than their treatment programs had anticipated.

Prior to the implementation of AB 3121, the Hall also received 601, status offenders. As of January 1, 1977, all status offenders were transferred to other detention facilities or released. The Juvenile Probation Department has contracted for 13 beds to serve as non-secure detention for 601, status offenders. These facilities are Boys ARC (3 beds), Girls ARC (6 beds), and the Corpuz Home (4 beds).

A minor who the officer believes is not receiving supervision or has been subjected to physical abuse may be placed in protective custody at the Children's Shelter. The Department of Social Services (DSS) or another agency such as Catholic Social Services may admit a child already under their supervision to the Shelter.

The Shelter must receive all dependent children admitted by the police or by a social welfare agency. The children are segregated by age and sex in large dormitories each having one counselor. The Shelter accepts all 300 minors who have no special physical or medical needs, i.e., a severely abused child may be in a medical facility or a handicapped child in a special foster home.

The Shelter employs 19 counselors along with the administrative and supervisorial staff as well as volunteer workers (such as foster grandparents). There is also a year round school on the Shelter grounds. As a result of AB 3121, the daily number of children at the Shelter has increased from 45 to 65, and the average age of children has risen considerably. Since implementation of AB 3121, the Shelter has also experienced an increase in runaways from the facility.

The problem of runaways impact on the Shelter staff as they must divert a good deal of their attention toward the prevention of runaways rather than toward more productive programming.

An alternative police decision is to refer an out-of-custody child to Juvenile Probation Department without admitting the minor to a detention facility. For example, the officer may issue a citation which is screened in the police agencies and forwarded to Juvenile Probation Department Screening Unit for follow up.

Another method of entry into the juvenile justice system, as indicated on the left portion of the schematic, is direct referral to the Juvenile Probation Department by other agencies. For example, School Attendance Review Boards (SARB) may refer truants, parents may refer beyond control children, the Department of Social Services may refer neglected or abused children, or the Public Health Department may refer youth who have unmet medical needs. These agencies may also refer youth directly to other community based services, and will be encouraged to do so with the implementation of AB 3121 in Santa Clara County.

Other types of cases which can, at this point, enter the juvenile justice process are certifications from the Adult Criminal Court. The law requires that all certifications be brought to the attention of the Juvenile Court by means of a petition. These referrals to the Juvenile Court will always be law violations and will be handled accordingly.

3. Juvenile Probation Screening:

When a minor is admitted into a detention facility or appears at screening with a citation, the Screening Officer will read the complaint, interview the complainant and the minor and determine if the case warrants further investigation by Juvenile Probation Department. The police or other complainants will indicate which type of petition is to be drawn, 300, 601 or 602. The Screening Officer may, at this point, change the classification of the petition if deemed necessary. The Screening Officer may then make three decisions regarding the case: (1) settled at intake (SAI); (2) informal supervision; or (3) transfer of the case to the Intake/Investigation Unit.

The Probation Officer may first settle the case at the screening levels for reasons, such as insufficient evidence, exoneration or in the interest of justice. The case may be transferred to another agency, closed, or be placed in a holding pattern called "awaiting action". The Probation Officer may initiate a referral to some other agency, public or private, which might successfully resolve a problem which came to light in the Intake Investigation. Exercising his discretion in this manner, the Probation Officer then provides an exit point from the juvenile justice process not unlike the law enforcement officer who decides to handle the matter informally.

4. Informal Supervision:

Another alternative available at this stage is a period of Informal Supervision (IS) for a period extending up to six months. The Probation Officer may also consider a referral to the Substance Abuse Program which is used for first-time and/or minor drug offenders, and extends for a six week period. The last type of informal supervision program is termed Contract Probation. It is frequently applied in first-time and/or minor violations of auto theft laws.

It should be pointed out that during the period of informal probation, the matter which initiated the process is held in abeyance pending satisfactory completion of whatever program a youth enters. Failure results in a re-evaluation of the matter with the possibility of filing a petition.

5. Intake, Investigation, and Courts:

The last alternative available at the screening level, and that which most frequently occurs, is to transfer the case to the Intake/Investigation Unit. It should be noted that if the minor is already on probation, for whatever reason, the case is then transferred to the supervising Probation Officer who will perform the same function as the Intake Officer. These cases are termed re-referrals.

The Probation Officer conducts an inquiry into the facts surrounding the nature of the minor's referral to the probation department, his background and current environment. The end product of the investigation, a report to the Court, contains an appropriate course of action for the Court to take.

Every Juvenile Court petition will have certain component parts:

- a) Identifying information about the youth;
- b) A statement indicating which section of the Juvenile Court law the minor appears to come within (300, 601 or 602);
- c) A summarization of facts supporting the statement; and
- d) A request that the Juvenile Court take jurisdiction in the matter.

In the case of a 300 or 601 petition the supervising Intake Officer signs the petition. In 602 law violations the District Attorney (DA) is the petitioner.

In 602 matters the Probation Officer will confer with a District Attorney assigned to Juvenile Court for his opinion regarding the case. The District Attorney will then advise the Probation Officer as to the facts of law concerning the case, such as evidence and witnesses needed. The Probation Officer will then complete the investigation as outlined by the District Attorney. The Probation Officer maintains the decision whether or not to file.

The District Attorney does not have any method of tracking a Probation Officer's decision whether or not to file a petition. There is no way for the District Attorney to know if the petition has in fact been filed unless the complainant appeals the decision or the minor commits another law violation.

The District Attorney's schedule necessitates that he be either in court or in his office preparing cases or advising Probation Officers. Generally, several District Attorneys are available at any one time and the Probation Officer, when in need of advice will seek any available District Attorney.

Often, although several District Attorneys are in their office, there is a line of Probation Officers waiting to seek advice. In fact, the District Attorneys may not actually receive a case to be heard until the day before, or in some instances a few hours before court.

The District Attorneys office had indicated that the mandate of AB 3121 is to pursue the community's interests and to vigorously prosecute the youthful law violator. Prior to the implementation of AB 3121 the District Attorney's role was less well defined. He advised the Probation Officer as to matters of law when requested and appeared at the jurisdictional hearings in contested cases only. Since AB 3121 the District Attorney is involved in all 602 petitions and appears at court in all of the hearings.

Several factors have combined to make the Juvenile Court more adversary in nature, and therefore more like the adult courts. The District Attorney's more extensive involvement in the process is one of these. The District Attorney's office is interested in establishing a record for the 602 youth so that if the minor should appear again before either the Juvenile or Adult Court, that Court would be aware of past law violations.

The District Attorney files many multiple petitions, the policy is to file all provable charges. In the past the Probation Officer would often tailor the charges as to what the minor would admit. Juvenile Probation Department policy had been that the minor's actual record was less important than establishing jurisdiction, and thereby, supervision of the minor. Since the District Attorney's involvement in all 602 matters, contested cases have increased almost 100% and more court time has had to be allocated to hearing contested matters.

The District Attorney will file on all accomplices in a law violation equally. In the past the Probation Officer, who is more of a behavior than a legal specialist, would consider all of the minor's circumstances and degree of involvement in the violation separately. Further, accomplices were often assigned to different Probation Officers who may have judged the violation as more or less severe. Since the District Attorney's involvement in all 602 matters it is felt that the filing of petitions has been more consistent, and based more heavily on facts of law rather than the individual minor's situation.

Prior to AB 3121 the District Attorney's office in Juvenile Court contained three Deputy District Attorneys and no clerk or investigator. Since the implementation of AB 3121 there are six attorneys, one clerk and two investigators.

Whether the child is or is not in custody, a petition must be filed within 48 hours of the minor's being admitted to a detention facility or first contact with Juvenile Probation Department. If the minor is in custody a detention hearing must be held within 24 hours of the petition being filed.

The detention hearing is held before a Juvenile Probation Department Referee. A Court Reporter at this hearing was justified on the basis of a new option for re-hearing before judges as a result of the Dixon Bill. Santa Clara County has had a reporter present at these hearings even before AB 3121.

The only matter to be considered at the detention hearing is whether or not the minor should be detained pending the jurisdictional hearing. Since AB 3121 the standards for detention have been broadened. In the past the standards were the best interests of the minor and the least restrictive action; since AB 3121 the standards are the protection of the community and other people's property. All parties concerned report that although the language is harsher there has been little change in the results of the detention hearings.

An alternative to housing in Juvenile Hall is home supervision or Community Release (CR) where the juvenile resides at home under supervision of a counselor while his case is investigated. Other youths are housed in foster care homes pending further court processing of their cases.

In Santa Clara County Community Release Screening is done at the detention hearing. The Community Release Supervisor will review all cases and may then suggest a minor's eligibility for Community Release. A new hearing by the Referee will be held as soon as possible after the detention hearing, usually within a day or two.

To be eligible, a minor must have 24 hour supervision by parent or a surrogate. A contract is signed by the minor, the parents and the Community Release Counselor indicating certain obligations on the part of the minor, such as school attendance.

The Community Release Counselor will have daily physical contact with the minor five times per week, Monday through Friday, and telephone contact on the remaining two days. This contact standard exceeds that of the California Youth Authority which requires four physical and three telephone contacts weekly.

The success of Community Release has been the same or better since AB 3121. Five percent of those minors on Community Release violate program rules and are returned to court immediately. Of those minors who commit a law violation three percent commit another 602 offense before the jurisdictional hearing. The remaining 92% stay out of trouble during the Community Release supervision. The significant factor is that all of these youth had been detained.

The disposition after a period of Community Release has been 80% placed on probation, 10% placed in foster home or ranch and 10% detained in Juvenile Hall.

It is at the point of detention hearing that the Public Defender's office or a private defense attorney is likely to become involved in the minor's case. The Public Defender's office (PD) handles about 80% of the Juvenile Court cases. The minor may request the Public Defender at the point of first contact with the police, but this rarely happens. If the minor is under 14 years old, the Probation Officer will require an attorney. If the youth goes to court unrepresented by an attorney the judge may appoint one.

The Public Defender's caseload is generally assigned by type of hearing. One Public Defender will appear at most of the detention hearings, another at jurisdictional and dispositional hearings. Often the Public Defender assigned will have a case from the point of the detention hearing throughout all of the subsequent hearings.

The Public Defender's role is to represent the youth at all 601 and 602 hearings. The youth has an independent right to counsel whether or not the parents consent to counsel. If it is determined that the parents can afford the attorney's fees they will be billed at a later date.

Although the Public Defender's office was not directly impacted by AB 3121, they have had to respond to the indirect impacts of the increased adversary nature of the court. Prior to AB 3121 there were three Public Defenders, now there are six Public Defenders, an investigator and two social workers.

The Public Defender's office is not necessarily arguing for the best interests of the minor but for what the minor wants for himself. The Public Defender relies heavily on investigators and especially on social workers. The social workers will work with the child and family to attempt to resolve problems and present alternative solutions to the court.

After the detention hearing, if the minor is detained the defense attorney may ask for a prima facie hearing which is held within three days of the detention hearing.

At the prima facie hearing the District Attorney must show probable cause that a crime has been committed and that the minor was involved. If the District Attorney's case is weak the Referee may dismiss the case at this point.

Prior to the implementation of AB 3121 such prima facie hearings were quite rare but with the increased adversary nature of the Juvenile Court they have been occurring more often, perhaps once or twice each week. The Public Defender has been utilizing the prima facie hearing to accomplish two general purposes: it allows the defense to hear the District Attorney's evidence and witnesses, or it may alternatively be used to demonstrate to the minor that the case is solid, thereby making the minor more amenable to making admissions.

In California there is a bifurcated hearing, the jurisdictional and the dispositional. The dispositional hearing may be held within 10 days of the jurisdictional, but in practice the two are often held simultaneously.

Prior to the jurisdictional hearing there may be a fitness hearing to determine whether a youth may be unsuited for handling as a juvenile and it seems appropriate to prosecute in the Adult Criminal Court. Upon motion of the District Attorney, fitness hearings for minors over 16 years of age are held if they are charged with one of eleven specific offenses; sixteen and seventeen year old minors charged with other offenses may also be found unsuitable in consideration of previous delinquent history and attempts at rehabilitation. The burden now falls upon the minor to prove his "fitness" for handling in the juvenile court if charged with one of the eleven offenses. Prior to the implementation of AB 3121 Fitness Hearings were not mandated and the burden of proof had been on the District Attorney. A youth found unfit would exit the juvenile justice process and subsequently enter the Adult Criminal Justice system at the Municipal Court level.

If the youth is found suitable for Juvenile Court, the hearing continues. The jurisdictional hearing concerns the facts which originally brought the matter to the attention of the Probation Department as embodied in the petition. If the evidence in support of the petition does not meet the burden of proof, the petition will be dismissed. Therefore, no jurisdiction will be established by the Juvenile Court and the minor will exit the system. If after sustaining a petition, the judge determines that a minor is a legal resident of another county, he may transfer the case to that county for disposition. This becomes an exit point for that youth from Santa Clara County's juvenile justice process.

It is also possible for Santa Clara County to be the receiving County of a "transfer case". On these matters, the jurisdiction is transferred to Santa Clara County where the minor then appears before the Juvenile Court for acceptance of jurisdiction and disposition of his case. The dispositional alternatives available to the Juvenile Court Judge are the same as in all other cases.

A dispositional alternative available to the Juvenile Court Judge is six months of supervision by the Probation Officer. As the arrow indicates, a period of supervision will be effected by the Probation Department for a very definite length of time, i.e., six months. At the end of the six month period, assuming no re-entry into the juvenile justice process, the case will automatically be terminated.

If during this period of probation the minor violates the terms of probation, for example, his behavior is deemed beyond control, the Probation Officer may file a modification to the Court Order (Section 777, W&I Code) which is a supplemental or new petition. On the basis of this new petition the court could make a finding of wardship based on the original violation of the first petition.

The procedure regarding modifications to Court Orders is unclear as to whether the District Attorney or the Probation Officer is the petitioner. At this time the Probation Officer has been signing the petition.

The procedure, modification to Court Order, may be used for any other changes in the probationer's status, for example, changing a curfew to allow the probationer to keep late employment or to change housing from a relative's home to that of the parents.

The court, at its discretion, can adjudicate a minor to be a ward or a dependent child of the court. A dependent child status is adjudicated in cases when a petition within the provisions of Section 300 is sustained (neglect, abuse, etc.). An adjudication of wardship occurs in the cases of those minors who have been found to be either beyond control (601) or in violation of some statute (602).

Other substantive dispositions available to the court are indicated by the flow lines on the chart. All dispositions that are legal alternatives for dependent children of the court are also alternatives for those who are wards. However, certain dispositions must be preceded by adjudication of wardship, and a law violation.

Whether a ward or a dependent, the Court may place the child in the parental home. The period of supervision and/or probation which follows the Court Order is most commonly exercised by the Probation Department. However, a certain percentage of dependent children are directly supervised by the Santa Clara County Department of Social Services, who in turn report to the Probation Department. Generally, direct probation supervision of dependent children is ordered in matters of physical or sexual abuse. After the satisfactory, indeterminate period of supervision, wardship or dependent child status may be dismissed.

6. Placement:

If a child's home is unsuitable or unavailable or if a return to the parental home is inappropriate, placement in a relative's home may be ordered by the court. A period of indeterminate supervision again would be provided by the Probation Department. This is generally followed by a return to the parental home, a subsequent shorter period of supervision to insure adequate re-adjustment in the home, followed by dismissal.

Foster home placement is also a dispositional alternative available to the Juvenile Court. While the child is in the foster home, a period of supervision is provided. As in the case of placement in the home of a relative, return to the parental home is assisted with a short period of supervision, followed by dismissal.

If institutional placement is necessary, the court may commit the minor to the Probation Officer for placement in a suitable public or private institution. During the period of residence in the institution, the minor receives support services from the Probation Officer in addition to the services provided by the institution. Return home, a period of supervision again to insure adequate re-adjustment, and subsequent dismissal of the case is the general course followed. To repeat, the dispositional alternatives just explained are those which are available to the Juvenile Court for a minor adjudicated a ward or a dependent child of the court.

Upon the court's disposition for placement, either in a foster home, group home or private institution the file is transferred to the Placement Unit from the Investigation Unit, or more commonly from Probation Services, the Placement Unit will then assume responsibility to locate the ordered placement, subject to the court's approval, and continue to supervise the child while in placement. The order takes approximately one week to reach the Placement Unit and at that point the Placement Probation Officer must review all the pertinent information regarding the child and try to find a bed in a suitable placement facility.

Prior to January 1977 Probation Officer's who were contemplating recommending placement for a child to the court, appeared before the Resource Review Board (composed of supervisors of placement units, foster home units, ranch unit, and a rotating supervisor from either intake or supervision). At that time the Resource Review Board would have the opportunity to hear the individual case, ask questions of the Probation Officer and make recommendations as to suitable placement. This practice was terminated in December 1976, it was felt that the Judges did not like to have Juvenile Probation Department reviewing disposition prior to their own review. This decision to terminate the Resource Review Board has no apparent relationship to AB 3121.

When placement is ordered the judge does not indicate the length of placement but rather the type of placement. The Placement Unit develops an initial service plan which explores the child's needs and the probable length of placement. At the end of a placement period the minor may have a trial period at home, if this is successful, then the case is returned to court for discharge.

Private Institution and Placement (PIP) are licensed by the age of the child and by the type of service provided (i.e., psychiatric counseling, special programs, residential school, etc.). They do not place children according to the type of petition, however, they do not mingle 300's and 602's. PIP's are licensed by the State Department of Health.

The distinction between group and foster homes is the number of children they may provide beds for, and the type of setting. Group homes have six or fewer children, foster homes have a family setting. These homes are licensed by the County.

Local agencies may license for foster homes in Santa Clara County. Those agencies may be Department of Social Services, Catholic Social Services and Children's Home Society. Juvenile Probation Department may use any home that is licensed and has an available bed. If a child is placed in a group or foster home licensed by another agency, that agency will provide supervision of the home, but Juvenile Probation Department will continue to supervise the child in placement.

The trend is towards the use of foster or group homes. The state licensing requirements are easier and the Juvenile Probation Department can exert more control and direction of the minor.

Juvenile Probation Department had developed specialized foster homes, gave special training and in turn these homes had to take whatever child was placed there. Now these homes, for fiscal reasons, take placement from anywhere in the Bay Area and some of these beds, by competition, have been lost to Santa Clara County.

In the past Juvenile Probation Department had placed 60-70% of children in PIP's in Southern California. Through the work of the Bay Area Placement Committee (Juvenile Probation Department's and Welfare Departments from 20 counties in Northern California) had convinced agencies from Southern California to locate group homes and institutions closer to Santa Clara County. Now most children are placed either in Santa Clara County or adjacent counties, only 8% are now in Southern California. The relatively closer proximity of placement options now makes it easier for family visiting and for Juvenile Probation Department to maintain more control over facilities.

Placement Probation Officer's became very familiar with the available institutions. They maintain close contact with institutional personnel and visit the child monthly.

Once an order for placement is issued the child is matched to facility according to what beds are available (the facilities most highly rated tend to have the fewest vacancies), the age groups placed, special services needed, etc. Care is also taken to avoid placing too many children with the same problems in same facility (i.e. don't put all assaults in one facility).

A minor may also be committed to the County Juvenile Rehabilitation Facility. These consist of two Ranches for boys, and a Residential Center which had been a girls facility but now is coeducational. The William F. James Ranch serves boys, 15-17, the Harold Holden Ranch serves boys, 13-15, and the Wright Residential Center houses girls and younger boys.

The Ranches are minimum security facilities. It is reported that there are fewer runaways when the ranches are operating at capacity. It is felt that the youthful offenders realize that if they leave they will lose their bed at the ranches and be returned to the Hall. It is further reported that a longer stay at the Hall is conducive to a better adjustment at the ranches. It is felt that during the time the youth awaits placement at the Hall he will have the opportunity to more realistically evaluate his situation and will be more accepting of the commitment.

Prior to the implementation of AB 3121 it was anticipated that the population of the Wright Residential Center would be drastically reduced as the Center housed girls and for the most part they had been committed for 601 status offenses. In January 1977 the population had been at less than 50% of the institutions capacity of 32. In February 1977 the facility began to accept younger boys and has remained at capacity since that time.

Average length of stay at the ranches is about six months. The county ranches are all relatively open and de-emphasize security and external controls. Participation in community activities and continued family contact are important programmatic components. After-care services are provided when a youngster is returned to the community. Satisfactory completion of the after-care period results in dismissal.

The Juvenile Court Judge may also commit a law breaker to the California Youth Authority. After commitment, the minor is taken to the Northern Reception Center near Sacramento, California. From that point, the juvenile is either placed on parole or sent to one of the Youth Authority Institutions. After a period of institutionalization parole is granted by the Youth Authority Board. Satisfactory completion of parole results in a discharge from California Youth Authority control. Shortly after this dismissal of Juvenile Court jurisdiction is effected.

7. Expungement:

Five years' after dismissal or when the minor reaches the age of 18, whichever comes first, the minor is eligible to apply to the court for expungement. The responsibility to request expungement rests with the minor and he is informed of this avenue in the Letter of Dismissal sent by the supervising Probation Officer. With expungement the minor's record is deemed never to have existed.

B. Interview Methods

In order to assess the impact of the implementation of AB 3121 on the juvenile justice system in Santa Clara County, various users of the system were interviewed at length. It was felt that the people most intimately involved with juvenile justice in the County would be the most aware and the most sensitive to changes that resulted from the new legislation and would likely have opinions and recommendations that would be beneficial to an evaluation of AB 3121.

In addition, because of time constraints, general interviews were combined with cost-analysis interviews.

The goals of the interviews were:

- To obtain opinions of the impact of the AB 3121 legislation.
- To identify other sources of data.
- To reconcile differences between statistics and opinion.
- To determine the desired direction for status offender planning.
- To more intimately understand the flow of juveniles through the juvenile justice system.
- To understand more completely the role and function of the participants of the juvenile justice system.
- To better understand the relationship that each participant of the system has toward the others.

Letters were written to the heads of the various major agencies that are involved in juvenile justice in Santa Clara County (Juvenile Probation, the Public Defender's Office and the District Attorney's Office) requesting permission to interview the various personnel. After receipt of letters of acknowledgement, appointments were made by telephone directly with the interviewees.

Interviewees were selected from the following departments:

- Judges of the Juvenile Court
- Court Referee
- District Attorney's Office
- Public Defender's Office
- Juvenile Probation Department (all components)
- Law Enforcement Agencies

Almost all of those interviewed were generous in sharing time and information with the interviewer, although several had extremely busy schedules and were only able to spend a more limited time with the interviewer.

The interview guide was developed to allow the interview to go into all the various aspects and issues associated with the juvenile justice process, especially those areas where the most impact was anticipated. Every effort was made to phrase the questions so that they would not be leading or would presume the answer.

Since many of the questions were not applicable to all of those interviewed, several different interview guides were developed. At first, the specific issue questions were kept separately from a general guide to be used for all of the participants, but this method was found to be clumsy and they were soon integrated into what was termed Form A and Form B (see Appendix).

As the questions were designed to be quite open, many new issues and problem areas were raised that had not been anticipated when the interview guides were originally designed.

A problem among a few interviewees concerned the interviewee's lack of time to devote to the interview; in those cases the interview guide was truncated and only those questions of the most general concerns were asked. In this manner all of those interviewed were asked a set of core questions, the answers to which were comparable.

The opening up of new, unanticipated lines of inquiry among other interviewees is considered beneficial and will be pursued for the final report.

One interview at the Juvenile Probation Department and the District Attorney's Office was used as an instrument pretest. After this, the guides were rearranged as discussed above.

Most of the interviews were taped with the consent of the participants. Those interviewed were advised that only the Evaluation Unit would hear the tapes and that their responses would be held in strict confidence; in this manner it was felt that those interviewed for the most part were spontaneous and candid. However, several of those interviewed appeared to be reticent and cautious in their responses.

The interviews varied in length from three quarters of an hour to up to two hours. The average time was approximately one and one-quarter hour.

C. Juvenile Justice System Interviews

The results indicated that there were some differences in opinion as to the impact of AB 3121. There was some tendency to be resistant to any change in procedure, especially in some of the court and probation personnel and there appeared to be difficulty in resolving roles and functions in some limited areas where the legislation has had the most impact.

In general, the agencies involved appeared to be adapting well to the mandates of the law.

Several problem areas emerged from the interviews, some were of universal concern and others affected only one agency or function rather than the whole juvenile justice system. These areas will be discussed below.

1. Policies, Procedures and Training:

Although, as stated above, the affected agencies that comprise the formal juvenile justice system in Santa Clara County appear to be adapting well to the changing requirements that were necessitated by the implementation of AB 3121, it was difficult to ascertain any formal policies or procedures. Most agency personnel interviewed appeared to know the changes in procedure that were required of them, such as the change of petitioner in 602 cases, but most were hard pressed to describe just how they came upon this knowledge.

Apparently, the staff received training during staff meetings, consultations about cases with supervisors, and word of mouth.

The District Attorney's Office was quite clear that their policies were those mandated by law, to pursue the successful prosecution of juvenile law violators in the same manner as in adult court.

The Public Defender's Office policy seems to be in reaction to that of the District Attorney's Office, to defend as vigorously as the District Attorney prosecutes.

The Juvenile Probation Department, having the most complex functions, seems to be the agency least aware of Department policies. When queried, the response was most often simply to implement the law with little or no discussion about methods.

Those interviewed felt that they were not in need of training in the implementation of AB 3121. Many felt that the legislation was so new that no one was sufficiently knowledgeable to train others. The District Attorney's office felt that no one knew more about the legal aspects than they did. The Public Defender's Office mentioned prior training workshops by an outside agency that were totally inadequate.

Several of those interviewed mentioned that the law left many holes and that the Juvenile Probation Department had queried the County Counsel for assistance in filling these gaps. The response of the County Counsel appears to have been well circulated as many made reference to it.

Several respondents indicated a need for training other than in the implementation of AB 3121. Most often mentioned was crisis intervention training and other methods of helping status offenders in particular.

2. Changing Roles:

Prior to the implementation of AB 3121, the District Attorney's Office served in an advisory capacity to the Probation Department. They were available to answer legal questions and only became directly involved in contested cases. Presently, the District Attorney is involved in all 602 cases at all hearings. This has resulted in, among other things, an approximate 100% increase in contested cases and an increasingly adversary and adult tone to the Court. Procedurally, the only difference between the juvenile and adult court is that in juvenile court there is no bail or jury.

The Court Calendar had been scheduled to hear the uncontested cases in the mornings and the contested cases in the afternoon. Since the number of contested cases has increased so dramatically, Tuesday mornings have been rescheduled to hear contested cases and pro tem judges have had to be used increasingly. The Juvenile Court Calendar is up to date as it must be to fulfill the time constraints imposed upon it; there is no backlog. However, keeping the calendar up to date is becoming an increasingly more difficult task; many of those interviewed indicated that the court will need another department by the end of the year.

Opinions regarding the effect of the increasingly adversary nature of the Court on juvenile attitudes and behavior differed. Some felt that the youthful population were well aware of the District Attorney's presence, and would be more aware of the increased risk of punishment. Others felt that the District Attorney's presence at the disposition was severely harsh and would inhibit the rehabilitation of the youthful offender.

The increase in adversary procedures has made a good deal more work for the probation staff. When the District Attorney files multiple petitions, this means an increase in paperwork and clerical time. The District Attorney will also require that the Probation Officer subpoena many witnesses. The subpoenas are served by the Sheriff's Department or by the Probation Department's Transportation Unit. However, if these two agencies fail to serve the subpoenas, the task is left to the Probation Officer.

Increased filing also requires more time from the Probation Officers who may have been assigned to investigate accomplices. The different Probation Officers now must find time to get together with the District Attorney in conference. This is difficult at times since they all have different schedules.

There appears to be some confusion regarding the perceptions of each other's roles by some of those interviewed in the District Attorney's and Public Defender's Offices and the Probation Department. The District Attorney appears to regard both the Public Defender and the Probation Officer as "social

work oriented"; while they regard their office as even handed and consistently upholding the interests of the community. They are interested in both developing a record for the minor and in impressing the minor with the seriousness of being a law violator at the earliest possible stage in the juvenile offender's career.

The Public Defender appears to regard both the District Attorney and the Probation Officer as prosecutors.

The Probation Officer seems to regard both groups of attorneys as being legalistic, while the probation officer regards himself as a behavior specialist. Some Probation Officers interviewed had doubts that their department would continue to have a role in the jurisdictional hearings.

Most of those interviewed agreed that the District Attorney's policy on filing petitions was more consistent than had been the Probation Officer's. Different Probation Officers seemed to regard some crimes more or less seriously and often accomplices were assigned to different Probation Officers.

There was a strong undercurrent of dissatisfaction with the District Attorney's appearance at the Dispositional Hearings. The District Attorney has been pleading for "harsher" dispositions. The District Attorney will frequently argue for a commitment to the Ranches and is not as aware of other placement options as is the Probation Officer.

Both the Public Defender's Office and many Probation Officers have stated that the District Attorney's presence at the disposition makes the proceedings lengthier, more emotional and has no ultimate effect on the disposition. The judges interviewed stated that the District Attorney's Office is doing an excellent job, but has not really affected the outcome of the disposition.

3. Plea Negotiation:

Plea negotiation may either be in regard to the offense or to the disposition. The District Attorney's Office is adamant that they never negotiate; they will argue every provable law violation. The Probation Department and the Public Defender's Office do not concur. They feel that the District Attorneys will negotiate, but will not do so until they have heard their witnesses. Usually, this does not occur until the actual jurisdictional hearing, since the District Attorneys often do not receive their cases until the day before or a few hours before the actual hearing. If the evidence is weak, it is reported, the District Attorney will negotiate for the offense. At times witnesses who have been waiting to testify are sent home without their testimony. Some of those interviewed in the

Public Defender's Office would like to see a pre-trial hearing by a judge other than the one who will hold the jurisdictional hearing. The judges queried about their opinion regarding a pre-trial hearing stated that the system was not in need of a pre-trial department, but that it would be acceptable if instituted.

The District Attorney's Office does have a policy to pursue the successful prosecution in juvenile court as in adult court. The individual deputies will generally not bring a case to court unless they feel that they have sufficient evidence to sustain the petition. The opinion of those interviewed was that the attorneys assigned to juvenile court were all quite competent and only took provable cases to court, but that win/loss was not the only measure of competency used.

4. The Status Offender:

There was universal discomfort with the legislation regarding the Status Offender. Almost all of those interviewed were in agreement with the separation of beyond control youth and law violators, but felt that the law was incomplete and precipitous.

The W & I Codes still contain the sections that will make a youth liable to appear before the court, but the legislation removes all judicial sanctions. The court can no longer place a runaway child in a secure facility or enforce any of its orders including that of contempt.

A good deal of frustration was indicated in that no juvenile justice agency could any longer hold a runaway long enough, in many cases, to call the parents. There was a universal desire to protect the child, help the parent and prevent the minor from falling into a life of crime.

Many of those interviewed indicated that an appearance before the court, admonishment by a judge and a "cooling off period" in the Hall were often sufficient to resolve a family problem and permit the youth and the family to communicate less emotionally and impulsively.

Many also complained that they felt that the legislation was suborning parental rights, although they agreed that a minor had individual rights. Most felt that the legislation had either gone too far or not far enough. They would prefer to see the Status Offender completely out of the juvenile justice system or a return of the sanctions.

Concern was also expressed about the ability and expertise of the community-based agencies to take on the problem of the

Status Offender. Many felt that beyond control youngsters were more difficult to treat than the law violators as they are often more emotionally disturbed and have a more complicated constellation of behavioral problems.

5. The Classification of Youth:

Since the implementation of AB 3121, as was anticipated, the number of referrals of 601 Status Offenders has decreased dramatically (-65%). The number of referrals of 602 law violators has not changed appreciably (-1.4%), but the number of 602 rereferrals has increased somewhat (+13.8%). Surprisingly, the number of 300 dependent referrals has risen sharply (new referrals were approximately 35% higher post AB 3121 than pre AB 3121).

The possibility of the reclassification of 601 Status Offenders into 300 Dependent or 602 Law Violators was explored with all of those interviewed and there seems to be much difference of opinion. Some feel that there is some reclassification occurring and others point to many extraneous factors that have had impact on the subject of classification of youth and deny emphatically that 601 youth are being reclassified. Some of those interviewed in the Probation Department have indicated that they have been witnessing a change in their caseloads since AB 3121. They are receiving cases where the police-complainant is referring older children as 300's in similar circumstances as those who were referred previously as 601 cases.

Concurrently, the average age at the Shelter has risen slightly since January 1977 when AB 3121 came into effect, which lends some credence to the observation that former 601 cases may be being processed as 300 dependent cases.

The distinction between the classification of youth is quite clear in the law; 602 youth have committed an unlawful act, 601 youth are beyond control of their parents and 300 minors need the protection of the court. In practice, the distinction becomes less clear and has always been a difficult determination to make. The decision is made on a case-by-case basis, depending on each minor's circumstances. That the area is clouded is attested by the often heard comment that a particular minor was actually a 600½ (in the past, dependent cases were 600 and Status Offenders were 601; 600½ indicates something in-between).

In the past, when the police became involved in a family problem it was a simpler matter to bring the youth into the court on a 601 petition as the case was easier to prove. The parents were angry at the minor and willing to testify against the

youth. When a police officer now sees a similar situation and the family refuses to allow the minor to remain in the home, the officer may, in an attempt to help the minor, bring the youth to the Children's Shelter, especially if no beds are available for a 601 youth. The language in a 300 petition states that no parent is willing or able to provide a home for the minor. Several of those interviewed indicated that many treated as 601 youth in the past should have actually been treated as 300's, and that the rise in 300 referrals reflects increased concern by the police, probation officers and the community. The Public Defender's Office has, on occasion, protested a 601 petition, claiming that the home was unfit. They have then requested a 300 petition, especially in those cases where the child wants placement away from the home.

Actually, there are several decision points in the juvenile justice process where a case or a petition's classification may be changed. The first opportunity is that exercised by the police as the original complainant; they have the first opportunity to classify a minor. The screening and intake officers may also re-evaluate the classification as may the District Attorney (in the case of 602 and 300 D cases), the referee and ultimately the judge.

It has been pointed out that many other factors have contributed to the increase in 300 referrals. Both JPD and the District Attorney's Office have indicated that they have had workshops with the police and the community to advise them of their willingness to vigorously prosecute cases of neglect, and that this has stimulated some of the increased referrals.

The Sexual Abuse Unit has been receiving increased referrals. It is felt that they have been tapping a large, pre-existing problem population which until recently people have been loathe to report.

Finally, it has been reported that the increased number of 300 referrals appears to come in cycles and that several years ago there had actually been more 300 referrals than in the recent past.

It must be noted that it is difficult and dangerous to conclude at this time that the recent increase in 300 referrals is directly and exclusively a result of the implementation of AB 3121.

Another possible avenue for the reclassification of youth as a result of AB 3121 is that of reclassifying an erstwhile 601 status offender as a 602 law violator.

In the past the Probation Officer would often tailor the charges as to those that the youth would admit, as discussed above,

feeling that as long as the court had jurisdiction, then supervision and rehabilitation could occur. In fact, prior to AB 3121 all of the detention and placement options were the same for 601 and 602 youth.

Some of those interviewed in the Public Defender's Office and the Probation Department have stated that the District Attorney's Office will now file 602 charges on a minor in what was in reality a family dispute. The district Attorney's Office claims that these disputes which often involve an assault, should have been treated as a law violation in the past and that they are correct for so treating them at this time.

Several of those interviewed indicated that they are seeing pre AB 3121 601 cases on probation supervision as 602 since the law was implemented. However, those interviewed at the Ranches were firm in their belief that all of the youth being committed to the Ranches since January 1977 are truly law violators and do not appear to be reclassified 601's.

6. Recommendations and Suggestions from Interviewees:

- a) Status Offenders: Most would like to see sanctions returned to the court or the complete removal of the Status Offender from the juvenile court process. Sanctions, such as temporary secure detention, are regarded as important to prevent runaways and to help prevent a minor from emotionally acting out. Many indicated that often resolution of 601 problems was accomplished when a minor was in the Hall, short of court action.

Several suggested a family court, separate from the Juvenile Court, which would hear all matters of family disputes.

Many felt that the handling of 601 offenders should be a matter of community involvement. Concern was expressed about the accountability of these agencies. What measures of accountability were being used? What does resolution entail?

- b) The Rights of the Minor: The minor involved in the juvenile justice system is read his rights at the first point of contact with the police, at screening and at court. Many expressed concern that although these rights have been read often, that the juvenile does not have a clear understanding of their meaning. Some of those interviewed would like to see some method developed of determining whether the minor understands.
- c) District Attorney: Some of those interviewed would like clarification of the law as to whether the District Attorney or the Probation Officer signs the (W & I 777) modification to the court order.

Some opinions were expressed regarding a change in the law relating to escapes (W & I 872). At this time, if a minor runs away from a secure facility, this act is treated as a misdemeanor with a maximum sentence of six months. It is suggested that the punishment for runaway reflect the original crime, felony or misdemeanor.

Many have expressed dissatisfaction with the District Attorney's appearance at the disposition. They feel that his presence there is time consuming and unproductive and would prefer that the District Attorney be removed from those hearings.

- d) Plea Negotiation: Several of those interviewed in the Public Defender's Office would like to see a pre-trial hearing so that a judge other than the one who would sit for the jurisdictional hearing can negotiate with both the District Attorney and the defense counsel. It was felt that this would be a more economical use of the court time.

D. Law Enforcement Interviews

Administrative law enforcement interviews have been conducted with the following agencies in Region J:

Campbell Police Department
 Gilroy Police Department
 Los Altos Police Department
 Los Gatos Police Department
 Milpitas Police Department
 Morgan Hill Police Department
 Mountain View Police Department
 Palo Alto Police Department
 San Jose City College Police Department
 San Jose State University Police Department
 San Jose Police Department
 Santa Clara County Sheriff
 Santa Clara Police Department
 Sunnyvale Police Department
 West Valley College District Police Department

Two other police departments have been contacted, but were not able to grant interviews at the time requested. In both cases, a relevant respondent was unavailable due to time. The only other police jurisdiction in Region J, the California Highway Patrol, has not been included in the interviews.

Some of the interviews conducted with police administration included more than one respondent. The range in numbers of respondents per interview varied between one and five. One respondent prepared a formal statement for the interviewer (the department had previously requested an Interviewer's Guide). All other interviews exhibited no particular features.

Police jurisdictions, by and large, were very cooperative in the interviewing process. Some jurisdictions made helpful suggestions to our own work and others provided ancillary data to the field interviewer. In general, responses given by police were straight-forward and complete. Many individuals offered keen insight into the problems faced by police in implementing AB 3121. Below, is an outline of the key issues that surfaced from the interviews.

1. Intent and meaning of AB 3121. Ten respondents felt the overall intent of the Dixon Bill is to further decreiminalize the status offender, or to keep such offenders out of the juvenile justice system. Three other respondents, in addition to mentioning de-institutionalization, also mentioned the intent to add "teeth" to laws applicable to juvenile criminal offenses. Other primary responses included an intent to separate status offenders from criminal offenders, the perception that the legislature wants police removed from dealing with status offenders, and the statement that the laws' intent is to emancipate juveniles.
2. Problems involved in implementing AB 3121. Twelve respondents felt on one level or another, that AB 3121 removed police from having a firm jurisdiction in status offender matters. Some of the respondents expressed this in terms of police being "powerless" to do anything about 601's, especially if the juvenile in question is not amenable to counseling services, or referral to another agency. Some respondents went on to say that the law encouraged kids to "speak-out" and "do things" that would not have occurred before the legislation. Even if a juvenile is "acting out" the police feel somewhat reluctant to intercede on the basis that the matter is not completely within the law enforcement jurisdiction. Put another way, the police feel they have no punitive tool (incarceration) by which to encourage status offenders to "cool down" and seek help.

Many jurisdictions also have problems with the "mechanics" necessary to implement the legislation. They feel that no direction has been given, by the legislature, in the mechanical processing of youth. The legislation, in their opinion does not allow for many exceptional cases arising in the field. Specifically, police want to know what to do with youth who do not "fit" the 300, 601 or 602 sections of W&I Code. Once apprehended the police also feel a loss of control in providing for protective custody to the juvenile. Some police agencies are not knowledgeable of non-secure facilities available to the jurisdiction. Even where resources are known and utilized (Children's ARC, YSB's, etc.) a few police jurisdictions feel less than secure about the ability of these services to keep juveniles out of trouble.

A number of police agencies expressed a strong opinion that the most problematical impact of the legislation was to make all previously responsible parties, but especially parents, ineffectual in dealing with youth out of control.

Finally, some police shared their belief that status offenders are now ignored by some conty agencies and are given low priority in crowded Children's Shelter. The law creates an atmosphere for possible reclassifications of 601's, by officers who want to help child, into 300 dependents or 602 crime violators. For example, a number of agencies noted that some social services have stepped out of the status offender "field" with the implementation of AB 3121. Further, some agencies have placed a limit in the ages of youth they are willing to handle which they believe to be an effort to avoid runaways. As a result of this trend excalation of charges is not uncommon. Some officers will request permission for a room search (by the parent) in a 601 W&I case for the purpose of looking for contraband in order to excalate the case to a 602 W&I.

3. Law enforcement policies in regard to AB 3121. Of the departments interviewed, ten issued agency memos which closely followed the directives set down by the Law Enforcement Executive Council on December 15, 1976. These recommendations set policies for:
 - a) when and in what circumstances a 601 violator should be brought to Juvenile Probation Department;
 - b) how police handle individual case grievances; and
 - c) what reports must be submitted with a Juvenile Probation Department referral.

The range of other specific agency policies in effect but not set down in the enclosed directive were as follows:

- a) Officers were told to take the same actions taken before implementation. If officer feels that the child should go to Juvenile Probation Department, the child is transported there. For example, a runaway who refuses to go home with a signed release authorization by parents is enough for the officer to take the juvenile to Juvenile Probation Department.
- b) If client has a number of prior 602 W&I offenses, and current offense is of the same type committed in the past OR the crime committed is a violent one, the juvenile is taken straight to Juvenile Hall. If a juvenile on probation is arrested for any type of offense, they are booked. If the officer has a problem with the classification procedure, he is to contact supervisor.
- c) For missing child reports, the officer will respond to case and initiate reports and proper action. Officer will inform party that Juvenile Probation Department protective custody is eliminated and also the limitations on police if juvenile is located. Runaways are to be counseled to return home or to seek assistance voluntarily.

- d) For 601's, the officer makes every effort to return the child home; uses all community resources for temporary placement. After all placement possibilities expended, the child is transported to a non-secure facility of Juvenile Probation Department with the necessary release form.
- e) Department deals with 601's as in the past, using all security precautions, and normal operating procedures. Police can take juvenile into secure custody until they know exactly what is happening. If encounter an out-of-town juvenile attempts are made to contact parents and hold juvenile, if parents want to pick him up. If parent is unavailable or unwilling, the department contacts the original jurisdiction (i.e. the home town police), and lets them pick up the juvenile.
- f) For 601's the department responds to calls within the jurisdiction and attempts crisis intervention techniques to calm parties down. If needed, the officer will make referrals. All 601 referrals to Juvenile Probation Department are screened by police supervisors prior to transport.

In a general sense, the reaction of police administrations to AB 3121 has been pragmatic. Juveniles have to be dealt with, and most policies have reflected this need.

4. Has your agency undergone changes in workload or caseload since AB 3121 was implemented? Out of the departments interviewed ten claimed no change in caseload (as defined as number of contacts and/or arrests). The five other departments all claimed a decrease in caseload for departmental reasons, as follows:
 - a) A lower number of 601's are now arrested (four departments) and reports are not being taken by individual beat officers.
 - b) The departments are getting the same amount of calls, but fewer actual cases are assigned from these initial contacts. Instead, a 10-minute incident report is made of many 601 related calls.

Eleven agencies also claimed no changes in overall workload. However, four remaining agencies noted dramatic increases in time spent per case. The particular reasons for this additional expenditure of time were as follows:

- a) The departments are trying to plug families and juveniles into resources; and are spending less time "hoofing" after suspect runaways.
- b) The departments are spending 2-3 times the amount of time spent per 601 W&I case prior to AB 3121. This is mostly counseling time to diffuse tempers out in the field and get juveniles back home.
- c) Some officers some, on the average, two overtime hours per day. The best time to counsel with both parents and child is after normal working hours. As well, 3-5 more contacts per incident are necessary with a juvenile than prior to AB 3

5. Have you noticed any change in department morale since AB 3121 was implemented?

- a) Nine of the fifteen departments interviewed noted frustrations expressed by beat officers. The sources of frustration cited were as follows:
 - 1) Within departments individual officers expressed personal dislike in what the law is doing to parents and children.
 - 2) Officers feel that 601's are useless cases or are a waste of time to pursue. Also, they find it difficult to explain to parents that police can not be of more help. When officers are called in to testify, it is usually on a day-off and the officer often required in juvenile court all day.
 - 3) There is frustration in that the officer assigned to help by the department is often rejected by the juvenile.
 - 4) There are also knowledge gaps and frustrations in what to do with 601's once they are brought into custody.
- b) Six departments expressed no change in departmental morale. One department expressed that at first, some of the officers felt "uptight" about the possible emancipation of juveniles. Over time, however, this has cooled off.

6. Have you noticed any difficulties in the classification of 300's, 601's, or 602's W&I?

Fourteen departments expressed no difficulty in distinguishing these categories and claimed that the law made the distinctions clear-cut. The remaining department noted "individual problems with individual officers". All departments face some "fine-line" situations that require the officer to make judgement calls.

It is worthy of note that this question also invariably brought out a discussion on the phenomenon of "escalation" of charges in situations where an original 601 case (i.e. runaway or beyond control) were actually classified as 300 or 602.

Eleven departments noted that their officers did not exccalate 601 cases to either category and that supervisory officers examined each case to insure that the proper classification had been made.

7. What recommendations should the AB 3121 plan incorporate?

Twelve of fifteen respondents expressed a need for the ability to detain 601's at least temporarily -- as called for in the Dixon Amendment. One department called for the community to develop the ability to handle 601's without police at all. Another department felt the Juvenile Probation Department should come out with a definite course of action for each type of case and who to call i.e., a set of particular guidelines. The last department called for a team effort between law enforcement, counseling agencies, and the community; and this should be enumerated as a legislative mandate.

- a. We don't have to escalate. We change the classification only if the child is from out-of-state, to get a hold on the juvenile. De-escalation (601 to 300) is "sticking your neck out", as charges must be filed against parent, and other proof is necessary.
- b. We are now treating the problem: some 601's will become 602's if we investigate and find evidence of drug abuse, etc. 601's are reclassified. 300's are also possible if abuse by parents can be shown. This is not escalation. When help is needed by the child, the 300 classification is made for his protection.
- c. If there are grey areas these are resolved in favor of the juvenile. For example, if a 601 case alleges abuse, a 300 change will be made for the juveniles benefit. If it turns out that the 300 claims were unjustified, Juvenile Probation will reclassify the youth to 601.

Substantially, the previous discussion represents the general stance, policies, reactions and changes occurring among law enforcement administrations as a result of AB 3121.

SECTION FOUR: PROJECT TRAINING COMPONENT

Earlier in the project year, CJRS had created approximately 45 minutes of video-tape, in 15-minute segments. These featured respectively Judge Eugene Premo, Superior Court Judge; Mr. Richard Bothman, Chief Juvenile Probation Officer; and Leo Himmelsbach, DA's Office, each in turn interpreting the impact and the possible consequences of AB 3121, and describing how the new legislation would be implemented, depending upon their role and function in the juvenile justice system. In short, they are descriptions of County policy as it relates to AB 3121. Thus far, these tapes have been viewed by the following police departments: Milpitas, Santa Clara, Los Gatos, Los Altos, Palo Alto, San Jose State, and (possibly) Mountain View. In addition, these tapes have been shown at Juvenile Probation Department.

In recent months, CJRS has completed two 10-minute (approximately) tapes which are documentaries of ETC and of Alum Rock. Both have been completed and have been approved for distribution. The films explain the nature and role of the two above-mentioned facilities for children as they relate to AB 3121. The tape dealing with ETC will be viewed by: Stanford and Palo Alto, Mountain View, Los Altos, Sunnyvale, Campbell, and Los Gatos police departments, and the Santa Clara County Sheriff's Office; the tape dealing with Alum Rock will be seen by: Sheriff's Office, San Jose State, and the Milpitas and San Jose Police Departments. An additional tape dealing with Alum Rock South is in process of preparation, and will be seen by the Morgan Hill and Gilroy Police Departments.

In addition, a slide presentation for both high school viewing and police reviewing is presently being prepared. The date of completion is uncertain, but it is anticipated for no earlier than 20 September 1977, more likely for 1 October 1977. The slide presentation is slated for approximately 15 minutes (perhaps 20-30 slides) and will present information, in segments, i.e., history of juvenile law, juveniles in school, 602's, 300's, 601's, and diversion programs, etc.

Robert Hirano, Project Director for AB 3121 has requested that CJRS further consider making 10-minute tape documentaries on Casa SAY and Wilson House. CJRS has agreed to make these tapes pending these houses becoming more formally organized as they relate to AB 3121.

CJRS has instituted a Video Taping Techniques Class in the course of its other duties. The class has apparently been quite successful, and since AB 3121 has been initiated, 16 persons from various police departments have been trained, and an additional 16 persons will be trained in the week of 22 August 1977.

Finally, CJRS has hired two video-tape technicians in the month of July. It is CJRS' view that these two persons have vastly improved the quality of their tapes and the speed with which these are created. Accordingly, CJRS has spent some \$4000 to \$5000 less on video equipment than originally planned, and has requested a budget modification to transfer this money, in order to give more hours to the technicians. As yet, we are not apprised of the results of the budget modification request.

SECTION FIVE: PROJECT SERVICE COMPONENT

Aggregate program data for Alum Rock Counseling Center and Emergency Treatment Center have been collected for calendar year 1976 and the first half of 1977 (January 1 through June 30). The aggregate data clearly shows a major increase in services provided by both agencies from 1976 to 1977, by comparing the first half of 1976 to the first half of 1977.

Until program data from the last half of 1977 are collected (after January 1, 1978) no analysis will be conducted of the impact of AB 3121 relative to the apparent aggregate caseload increase in both agencies. However, the increase thus far in 1977 has been dramatic.

In conjunction with collection of aggregate data, the Evaluation Unit has been collecting a case-load sample of 10% from both agencies for calendar year 1977. Like the aggregate data, case-load information will be incomplete until the end of the year. Thus far, caseload data has been collected for January 1 through June 30, 1977. The remaining case-load data will be completed for the final report, sometime in January 1978.

Case-load data collected thus far has been compiled on data transfer sheets and is ready for analysis as soon as the last half year data is available.

Provided in this section are brief descriptions of Alum Rock Counseling Center (Part A) and Emergency Treatment Center (Part B), followed by program tables identifying client and service information in each agency. Information gathered from clients and services includes the following:

- Client City of Residence (Table I)
- Client Sex (Table II)
- Client Age (Table III)
- Client Ethnicity (Table IV)
- Source of Client Referral (Table V)
- Reason(s) for Referral (Table VI)
- Placement by, i.e., Source of Placement (Table VII)
- Placement to, i.e. Where Placed (Table VIII)

Each of the tables is broken down by calendar quarter for 1976 and 1977. The substance of the data is clearly shown in this graphic form, and awaits an analysis at the end of this calendar year.

A. Emergency Treatment Center: Program Description and Service Data

OVERVIEW

People have crises at all hours of the day and night, including weekends. These volatile and complex situations require well-trained, warm, but tough-minded people to work with them. The Emergency Treatment Center, a program consisting of licensed professionals and graduate interns, work with adolescents, families and individuals to relieve their immediate crises and to initiate an active follow-up plan. The Emergency Treatment Center works with other community agencies, as needed by the people in crisis. The Center's primary effort is directed toward helping the family to mobilize its own strengths to resolve their problems. Sympathetic attention is provided to the people in crisis. The purpose is to restore family esteem and equilibrium and, hence, family functioning, and to reduce recidivism and institutional dependence.

OBJECTIVES

Criminal acts must be allowed to have their natural legal consequences. Some crisis situations involve criminal acts and some do not. Counseling can be valuable in cases of both kinds, in order to achieve the following objectives:

- to reduce, by on-the-spot intervention, the seriousness of intense and possibly violent family crises and the incidence of recidivism;
- to relieve the police of some of their time-consuming involvement in crises which involve adolescents, families, and people who have attempted suicide;
- to reunite adolescents who are beyond parental control with their families when possible;
- to coordinate the Emergency Treatment Center with the existing agencies, making referrals when appropriate;
- to reach out to people in crisis who may be afraid or reluctant to seek the help they need on their own;
- to provide a broad spectrum of active follow-up services to insure continuity of care after the initial crisis situation;
- to provide outreach to adolescents and adults who have attempted suicide in order to help them to regain the will to live;

- to provide prompt counseling to teenagers who are victims of rape, incest, or molest in order to relieve their emotional suffering.

The Center's staff is always available either by telephone or by pagers, if they are in the field.

PROGRAM DESCRIPTION

The Emergency Treatment Center is a new model designed to work with or in place of other crisis intervention models. The program operates in the following manner: mobile teams, consisting of two persons, are available on an on-call basis, seven days a week. Each team includes a mental health professional who is paired with either a volunteer mental health professional or a graduate student intern. These crisis teams respond from a centrally located office. The Center's staff responds to crisis calls from the police, community agencies, and individual people or families in the community. The Center now serves about two-thirds of Santa Clara County, and provides crisis services to the cities listed below. Responses will be made to calls encompassing the entire spectrum of crisis situations that involve adolescents and their families, as well as violent family fights and suicide attempts.

Active and extensive follow-up is conducted by the professional staff members, volunteer professionals, and graduate student interns. This follow-up is initiated and maintained by one or more of the team members who responded to the initial call. This maximizes continuity of care, and takes advantage of the considerable rapport that is developed between the responding team and the people in crisis at the time when their need is most acute. (It is the lack of such continuity which has accounted for the overwhelming majority of drop-outs from attempted referrals in previous crisis intervention programs.) Thus, the Emergency Treatment Center puts to good therapeutic use the rapport and trust which is gained by responding to the home when the people are in deepest need.

AREAS SERVED

Campbell	Los Gatos	Santa Clara
Cupertino	Mountain View	Saratoga
Los Altos	Palo Alto	Sunnyvale
Los Altos Hills	San Jose (western portion)	

QUARTERLY TOTALS

AGGREGATE DATA - 1976-1977

EMERGENCY TREATMENT CENTER

Variable	1976					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %
I. City	99	110	158	132		203	174			
Alviso	0	0	1	0	.2%	1	0			.2%
Campbell	2	4	3	4	2.6%	13	10			6.1%
Cupertino	6	6	9	17	7.6%	19	18			9.8%
Los Altos/ Los Altos Hills	5	7	2	7	4.2%	4	6			2.6%
Los Gatos	1	4	0	1	1.2%	5	2			1.8%
Mountain View	11	10	19	15	11.0%	19	13			8.4%
Palo Alto	4	4	6	2	3.2%	17	8			6.6%
San Jose	34	51	72	47	41.0%	73	57			34.4%
Santa Clara	11	9	17	10	9.4%	9	16			6.6%
Saratoga	4	7	2	1	2.8%	1	4			1.3%
Sunnyvale	21	8	9	19	11.4%	34	33			17.7%
County	0	0	0	0		0	0			
Other	0	0	0	0		0	0			
Unknown	0	0	18	9	5.4%	8	7			3.9%

II. Sex						174			
Male						81			46.5%
Female						93			53.4%
Unknown						0			

* Includes Milpitas

** ARCC totals include March 1977 only (1st quarter)

 // Broken down by: a. East and central Santa Clara County (January and February only)
 b. South Santa Clara County (January and February only)

EMERGENCY TREATMENT CENTER

Variable	1976					1977				
	Jan - March	Apr- June	July- Sept	Oct- Dec	Total %	Jan- March	Apr- June	July- Sept	Oct- Dec	Total %
III. Age	99	110	158	132	100%	203	174			100%
0-4 yrs						3	2			1.3%
5-9 yrs						7	5			3.2%
10-12 yrs	13	6	22	9	10%	13	10			6.1%
13-14 yrs	31	41	22	48	28.5%	58	51			28.9%
15-16 yrs	45	55	34	50	36.9%	70	73			37.9%
17-up yrs	9	8	20	22	11.8%	23	21			11.7%
Unknown	1		60	3	12.8%	29	12			10.9%

IV. Ethnicity	99	110	158	132	100%	203	174			100%
Black		5	5	4	2.8%	3	1			1.1%
Mex. American	11	11	9	8	7.8%	11	11			5.8%
Asian	4	3	1	2	2%	2	1			.8%
Native Amer.		1		1	.4%		1			.3%
Caucasian	84	90	75	116	73.1%	179	156			88.9%
Other			8	1	1.8%	7	4			2.9%
Unknown			60		12%	1				.3%

EMERGENCY TREATMENT CENTER

Variable	1976					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %
*Referral Source	139	110	182	132	100%	199	174			100%
Family Member	1			1	.3%	3				.8%
Police Including Sheriff	37	30	54	43	29.1%	42	39			21.7%
Juvenile Probation Department	15	25	30	23	16.5%	51	44			25.5%
Mental Health Services	7	4	12	2	4.4%	1	3			1.1%
Community Services	14	10	26	5	9.8%	17	21			10.2%
Friend	1	6	9	8	4.3%	7	5			3.2%
Self	7	3	13	2	4.4%	1	3			1.1%
Stress Hotline	1	1	6	0	1.4%	5	4			2.4%
Church	1	0	0	1	.4%	1	2			.8%
Previous Client	2	6	6	2	2.8%	7	9			4.3%
Medical Facilities, Doctor etc.	1	2	4	2	1.6%	2	1			.8%
Social Worker	0	0	0	0	0%	0	0			0%
Schools	32	14	3	26	13.3%	29	29			15.5%
Other	20	9	19	17	11.5%	33	14			12.6%

*Referral source includes agency contacts not resulting in formal intake.

Variable	1975					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %
VI. Reason-s for Referral						203	174			100%
Runaway						17	55			19.1%
Beyond Control						3	22			6.6%
Curfew						0	0			0%
Truancy						4	8			3.2%
School Be-havior Prob						0	6			1.6%
Unstable Family						9	15			6.4%
Unwanted						1	2			.8%
Substance Use-Juvenile						4	8			3.2%
Substance Use-Parent						0	0			0%
Malicious Mischief						1	6			1.9%
Property Crime (theft)						4	14			4.8%
Robbery						0	1			.3%
Weapon Vio-lation						0	0			0%
Treat with weapon						0	0			0%
Threat of Violence						0	3			.8%
Violent Behavior						5	7			3.2%
Threatened Homicide						0	1			.3%
Attempted homicide						0	0			0%
Threatened Suicide						1	6			1.9%
Attempted Suicide						1	2			.8%
Rape/Molest						0	2			.5%
Incest						0	1			.3%
Sexual Prob						0	4			1.0%
Pregnancy						1	1			.5%
Other						18	10			7.4%
Unknown						134	0			35.5%

EMERGENCY TREATMENT CENTER

Variable	* 1976					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan* March	Apr-June	July-Sept	Oct-Dec	Total %
VII. Placement by						15	26			100%
Parent (facilitated by agency)						7	8			36.6%
Provider Agency						6	16			53.7%
Placement not made						0	0			0%
Other						2	2			9.8%

*Not collected in 1976.

*Includes only March, 1977.

VIII. Placement to	54	21	34	14	100%	17 *	71			100%
Relative/Friend	0	0	0	0	0%	0	0			0%
Home	0	0	0	0	0%	0	0			0%
Agency	47	20	34	13	92.7%	16	56			81.8%
Other	7	1	0	1	7.3%	1	15			18.2%
Unknown	0	0	0	0	0%	0	0			0%

* Does not include March, 1977.

B. Alum Rock Counseling Center: Program Description and Service Data

Our Philosophy

Like the broader community of which we are part, our corporate family is composed of a variety of personalities, backgrounds, skills and experiences. We are barrio workers, psychologists, counselors, social workers, community workers, clergy; we are Brown, Black, and White; we are both parents and childless, married, divorced, and single parents. We belong to the human condition and see this as our strength in relating to the pains and joys of others.

Since we live in a predominantly Chicano community we are committed to bilingual services and to the adaptation of our counseling expertise to the special characteristics of the Hispanic heritages.

We believe that no one in our community should be deprived of his or her right to receive services that will make for a fuller and happier way of life. We pledge these services to the full extent and within the limitations of our capabilities. Our goal is to expand our efforts in developing community leadership so that the people of our community may find sufficiency in themselves.

ARCC provides the following family, marriage and individual services:

Counseling

To assist individuals and families in resolving conflicts developing interpersonal communication skills and in living their lives more effectively.

Crisis Intervention

24-hour services for children, adolescents and their families experiencing crises. A crisis may be related to problem behavior in relation to school, drugs, law enforcement or for threats of family breakup.

Family Life Education

To assist families in improving their communication skills so that parents and children can solve problems and negotiate satisfactory solutions to family conflicts.

Preventive Programs

To initiate groups that will place emphasis on prevention, which deal with areas of communications, crisis intervention, inter-family relationships, consciousness raising, alternatives to suspension, school behavior problems, truancy, with the intent of making it a permanent structure of school and/or organizations in the community.

Temporary Out-of Home Placement

Placement of adolescent in temporary foster homes when consented to by the parent and agreed to by the adolescent. ARCC is licensed as a home finding agency by the California Department of Health.

The following services are also provided by ARCC:

Program Development

Consultation and technical assistance to community social agencies in developing, maintaining or expanding their service delivery systems.

Speakers Bureau

Speakers from community groups, organizations and agencies on relevant Mental Health issues.

Training Programs

A variety of training programs are available and they include the following:

- Interpersonal Skills
- Crisis Intervention
- Working with Spanish Speaking Families
- Working with Groups
- Community Resource Counseling
- Various Counseling Techniques

QUARTERLY TOTALS
AGGREGATE DATA - 1976-1977

ARCC

Variable	1976					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %
I. City	194	227	255	266	100%	457	297			100%
Alviso	24	17	12	14	7.1%	22	21			5.7%
Campbell						4	2			.8%
Cupertino						2	0			.2%
Los Altos/ Los Altos Hills						0	0			0%
Los Gatos						0	1			.1%
Mountain View						0	0			0%
Palo Alto						0	0			0%
San Jose						100	227			43.4%
Santa Clara						0	3			.4%
Saratoga						5	0			.7%
Sunnyvale						0	3			.4%
East & Central County	108	142	181	220	69.1%	232	0			30.8%
South County	62	68	62	32	23.8%	45	0			6%
Unknown						47	40			11.5%

II. Sex										
Male										
Female										
Unknown										

* Includes Milpitas

** ARCC totals include March 1977 only (1st quarter)

// Broken down by: a. East and central Santa Clara County (January and February only)
b. South Santa Clara County (January and February only)

ARCC

Variable	1976					1977				
	Jan - March	Apr- June	July- Sept	Oct- Dec	Total %	Jan- March	Apr- June	July- Sept	Oct- Dec	Total %
Tot. Age	194	227	255	266	100%	457	297			100%
0-4 yrs	0	0	0	0	0%	5	6			1.5%
5-9 yrs	0	0	0	0	0%	36	25			8.1%
10-12 yrs	37	53	57	63	22.3%	51	45			12.7%
13-14 yrs	42	51	63	63	23.3%	123	79			26.8%
15-16 yrs	38	65	98	108	32.8%	158	118			36.6%
17-up yrs	17	30	37	32	12.3%	60	24			11.1%
Unknown	60	28	0	0	9.3%	24	0			3.2%

IV. Ethnicity	194	227	255	266	100%	457	297			100%
Black	10	21	11	23	6.9%	30	17			6.2%
Mex. American	48	94	98	88	34.8%	143	91			31%
Asian	5	2	2	2	1.2%	5	8			1.7%
Native Amer	0	1	1	1	.3%	4	4			1%
Caucasian	71	76	130	145	44.8%	242	146			51.5%
Other	4	5	11	7	2.9%	9	6			2%
Unknown	56	28	2	0	9.1%	24	25			6.5%

Variable	* 1976					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %
VI. Deviant-Social Behavior						457	297			100%
Delinquency						114	70			27%
Deviant Control						40	46			12.6%
Curfew						0	0			0%
Truancy						14	12			3.4%
School Behavior Prob						22	20			5.6%
Unstable Family						104	73			23.5%
Unwanted						10	14			3.2%
Substance Use-Juvenile						21	7			3.7%
Substance Use-Parent						0	0			0%
Malicious Mischief						0	1			.1%
Property Crime (theft)						11	4			2%
Robbery						0	0			0%
Weapon Violation						0	0			0%
Treat with weapon						0	0			0%
Threat of Violence						20	4			3.2%
Violent Behavior						18	13			4.1%
Threatened Homicide						0	0			0%
Attempted Homicide						0	0			0%
Threatened Suicide						11	1			1.6%
Attempted Suicide						1	3			.5%
Rape/Molest						3	3			.8%
Incest						1	2			.4%
Sexual Prob						6	0			.8%
Pregnancy						4	2			.8%
Other						4	11			2%
						24	11			4.6%

Variable	* 1976					1977				
	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %	Jan-March	Apr-June	July-Sept	Oct-Dec	Total %
VII. Placement by						51	39			100%
Parent (facilitated by agency)						21	19			44.4%
Provider Agency						29	20			54.4%
Placement not made						0	0			0%
Unknown						1	0			1.1%

* Not collected in 1976

VIII. Placement to	39	55	35	59	100%	117	121			100%
Relative/Friend	0	0	0	0	0%	0	0			0%
Home	0	0	0	0	0%	0	0			0%
Agency	39	55	34	54	96.8%	110	120			96.6%
Other	0	0	1	5	3.2%	7	1			3.4%
Unknown	0	0	0	0	0%	0	0			0%

SECTION SIX: OTHER COMMUNITY SERVICE AGENCIES

The AB 3121 Project Coordinator, Robert Hirano, has undertaken a resources inventory of all possible service agencies in the County which have the capability of serving status offenders. There are a number of County services available to status offenders which are commonly known and utilized by both police and Juvenile Probation. However, as is indicated from interview data presented in Section Three, community based resources are much less well known among police and other mandated agencies. Therefore, the design of the resources inventory will emphasize community-based resources in an attempt to increase awareness of alternative services available to the juvenile justice system, parents and youth.

In conjunction with the field consultant assigned to Project AB 3121, Mr. Hirano has designed an inventory methodology for use in determining available resources. Mr. Hirano has also hired an experienced field worker to assess agencies currently offering one or more youth services.

At this writing, the Project Coordinator is in the process of the assessment. The preliminary data from this search is reported in Section Two. Ultimately, the resources inventory will result in a manual for youth, parents and agencies in order to better understand and utilize available resources in the community. As it becomes available, these data will be included in future reports.

SECTION SEVEN: JUVENILE JUSTICE AND LAW ENFORCEMENT AGENCY DATA

A. Juvenile Justice System

The Evaluation Unit would like to determine the changes (in terms of numbers) in the flow of juveniles through the juvenile justice system. This would require more time and greater resources than the present effort has, including a sophisticated data capturing system. The absence of a computerized data base with a central repository of information on the processing of cases has made this task particularly difficult and introduces a greater risk of error. If there were only one recommendation to be made as a result of this research it would be that an effort should be made to reinstate the Juvenile Information System (JIS), a project designed to produce a computerized management system.

Most of the statistical information in the tables presented in this section were obtained from Juvenile Probation Department (JPD) monthly reports and statistical logs. Each table presents the average number of referrals to Juvenile Probation Department by four week periods in 1976 compared to 1977. Except as otherwise noted the pre AB 3121 averages were derived from thirteen four week periods from mid-December 1975 to mid-December 1976. The post AB 3121 averages are based on six periods from mid-January 1977 through June 1977. Period 7 (mid-December 1976 to mid-January 1977) was omitted from this analysis to avoid skewing the results. As a clarification, a list of definitions associated with these data can be found at the beginning of CHAPTER III (page III-1).

Additional information from the Court Unit is presented in the Workload and Cost Analysis Section (Section Nine). Some of the data on the ranches and Children's Shelter were collected directly from each facility.

1. Referrals to Juvenile Probation Department

From Table I it is clear that overall, referrals to Juvenile Probation Department dropped very slightly since January, but the type of referral has changed dramatically. While 601 referrals have decreased by 65% and 80% for new referrals and re-referrals, respectively, 300 referrals have increased by 36% and 45% for new and re-referrals, respectively. Re-referrals on 602's have increased by 14% while new 602 referrals have decreased slightly. New citations for both 601's and 602's have dropped.

TABLE I
Referrals to Juvenile Probation Department (JPD)

	Pre AB 3121 (1976) Average # new four week period	Post AB 3121 (1977) Average # new four week period	Percent Change
<u>300's:</u>			
New referrals	173.3	235.3	+35.6%
Re-referrals	21.8	31.7	+45.4%
Annual Review	51.2	66.3	+29.5%
<u>601's:</u>			
New referrals	123.4	42.7	-65.4%
Re-referrals	63.5	12.5	-80.3%
New cites	2.5	0.8	-68.0%
<u>602's:</u>			
New referrals	721.6	711.2	- 1.4%
Re-referrals	298.9	340.0	+13.3%
New cites	369.7	318.7	-13.8%
<u>TOTALS:</u>			
New referrals	1018.5	989.2	- 2.9%
Re-referrals	384.2	384.2	0.0
New cites	372.2	319.5	-14.2%

2. Juvenile Probation Department Initial Decisions

The decisions by probation officers and district attorneys associated with the initial disposition of new and re-referrals to Juvenile Probation Department are examined on Tables II and III, respectively. Three options are available to intake and investigation for new referrals -- settled at intake, informal supervision and petition. The initial decision on all types of cases within the justice system is significantly different from last year*, although some of the changes are much more dramatic than others. There has been a slight increase in the proportion of 601 cases settled at intake and a similar increase in the percentage of 300 cases resulting in petitions.

A more dramatic change in initial decisions about 602 cases is evident. A greater proportion result in petitions and less are settled at intake. This is probably due to the District Attorney's involvement in petition review and the general interpretation of AB 3121 as a "get tough" law. The changes in initial decisions on the total new referrals were highly significant as a result of the shifts seen in the various categories.

Significant alterations in the decisions for re-referrals have been observed as well. (Table III) The mutually exclusive options of the probation officer who is supervising the youth at the time of re-referral are release without court, petition, modified court order and order detention. Petitions and modified court orders are used much more often for 300 re-referrals than previously, while temporary detention orders are decreasing. Similarly 601 re-referrals are more severely disposed of by petitions or modified court orders than last year. Changes in both 300 and 601 re-referral dispositions were significant using Chi-Square. The decisions on 602 re-referrals has shown a trend toward more severe handling but this is not as marked as the increased severity for new referrals.

* A Chi-Square test of significant difference was calculated on the raw data to determine whether the proportion of cases resulting in the various options varied from each group (pre and post AB 3121).

TABLE II
Initial Decision on
New Referrals to JPD

	PRE AB3121 (1976)		POST AB3121 (1977)		CHI SQUARE test of significant difference between pre and post values
	Average # per 4 week period	Percent of total	Average # per 4 week period	Percent of total	
<u>602's:</u>					
Settled at Intake	122.8	70.8%	163.3	69.4%	$\chi^2 = 19.11$
Informal Supervision	10.5	6.0%	7.8	3.3%	
Petition	40.2	23.2%	64.2	27.3%	
Sub-total	173.5	100.0%	235.3	100.0%	
<u>601's:</u>					
Settled at Intake	75.4	61.3%	28.8	67.6%	$\chi^2 = 12.24$
Informal Supervision	11.9	9.7%	1.3	3.1%	
Petition	35.7	29.0%	12.5	29.3%	
Sub-total	123.0	100.0%	42.6	100.0%	
<u>602's:</u>					
Settled at Intake	412.3	57.1%	340.7	47.9%	$\chi^2 = 145.47$
Informal Supervision	159.7	22.1%	158.5	22.3%	
Petition	150.5	20.8%	212.0	29.8%	
Sub-total	722.5	100.0%	711.2	100.0%	
<u>TOTAL:</u>					
Settled at Intake	610.5	59.9%	532.8	53.9%	$\chi^2 = 109.41$
Informal Supervision	182.1	17.9%	167.6	16.9%	
Petition	226.4	22.2%	288.7	29.2%	
Grand Total	1019.0	100.0%	989.1	100.0%	

3. Youth Service Bureaus (YSB)

By and large the impact of AB 3121 on the Youth Service Bureaus has not been studied at all for this report but will be part of the community resources analysis. Table IV presents information on referrals to Youth Service Bureaus. The numbers seem to fluctuate a good deal. The interpretation of these data is left to a later date.

4. Detention and Rehabilitation

Preliminary data on the Juvenile Hall and ranches are presented in Table V. In general admissions and the daily populations of these facilities are increasing, a trend which is contrary to the assumption that with the shift of 601's to non-secure housing, the Juvenile Hall and ranch populations would decrease. In fact, there was early evidence that a greater length of stay per child in the Hall was occurring. This may have been the result of the increased adversary nature of adjudicatory processes or related to a lack of bedspace at the ranches.

There was also an appreciable drop in proportion of girl to boy admits, presumably due primarily to removal of runaways from the Hall population. Other data on population characteristics and length of stay will be sought.

5. Placement

Placements (Table VI) reflect the trends in referral classifications. Since there are fewer 601's to place, both private institution placements and foster home placements for status offenders are down. The large number of 300 referrals has led to an increase in these placements. Foster home placements for 602's have also increase.

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TABLE IV

Referrals to
Youth Service Bureaus

	PRE 193121 (1976)	POST 193121 (1977)	
	Average # Per four week period	Average # Per four week period	Percent Change
EAST VALLEY	93.2	79.67	-14.5%
MILPITAS	59.4	65.67	+10.6%
WEST VALLEY	57.8	46.83	-19.0%
SOUTH COUNTY	43.1	43.50	+ 0.9%
SANTA CLARA	84.5	87.33	+ 3.3%
TOTAL:	338.0	323.0	- 4.4%

TABLE 1

Detention and Rehabilitation

	PRE AB3121 (1976)	POST AB3121 (1977)	Percent Change
	Average # per four week period	Average # per four week period	
JUVENILE HALL			
Admits	742.15	636.17*	-14.3%
Average daily population	258.5	275.83	+ 6.7%
JAMES RANCH			
New admits	13.2#	13.8	+ 4.5%
Average daily population	79.4	80.9	+ 1.8%
HOLDEN RANCH			
New admits	12.0	18.5	+ 54.2%
Average daily population	79.3	83.0	+ 4.7%
WRIGHT CENTER			
New admits	4.7	9.5	+ 102.1%
Average daily population	32.9	36.4	+ 10.6%

* Recently (since October 1976) the court has used court commitments (57.3 per period since January), an option almost non-existent before that time. Court commits are probably not included in the Hall admits above.

Ranch statistics pre AB 3121 based on less than 13 periods many times because 1976 data was incomplete

TABLE VI

PLACEMENTS

PRE AB3121 (1976)	POST AB3121 (1977)	Percent Change
Average # per four week period	Average # per four week period	

Placement

300's:			
Private Institutions	81.64 *	85.17	+ 3.5%
Foster Homes	201.55	229.67	+14.0%
601's:			
Private Institutions	78.00	64.50	-17.3%
Foster Homes	73.27	39.83	-45.6%
602's			
Private Institutions	148.64	151.83	+ 2.1%
Foster Homes	51.82	45.00	-13.2%

*Placement statistics PRE AB3121 based on eleven periods only

6. Children's Shelter

A recent dramatic change in the Children's Shelter population and types of problems being manifested was purported to be partially the result of AB 3121. Because of this allegation, an indepth examination of the Shelter's statistics has begun. Some of the peculiar anomalies in the data are presented in Table VII. There is much evidence that some of the 601 population once housed in Juvenile Hall are now reclassified as 300's and referred to the Shelter since 601 non-secure shelter care bedspace is so limited.

Facts that would support this finding are:

- The number of runaways from the Shelter has grown astronomically, by almost 500% since AB 3121 was implemented.
- The total number of admissions has increased by 33% while the average length of stay has decreased by 25%.
- Female admissions into the Shelter have increased twice as fast as male admissions. Two thirds of the runaways handled by Juvenile Probation Department in previous years have been female and 40% of all 601 referrals to Juvenile Probation Department in previous years have been for runaway offenses.
- The average age in the Shelter is somewhat higher (3.5%). Typically, the 601 problem is found among youths ten years of age or older whereas 300 problems are often found among the very young.

It seems clear that the Shelter, faced with this influx of new admissions had to find beds to house their charges, and therefore:

- a) Cut the average length of stay by one quarter, and
- b) used alternative housing options.

The average number of 300's placed in the hospital from the Shelter during each four week period rose from 5.1 to 7.5 or by 47% since AB 3121 was implemented.

The average number of juveniles on temporary leave per four week period went from 9.5 in 1976 to 23.7 during early 1977, an increase of 150%. The Superintendent of the Shelter suggests that some of the increase in admissions follows a general trend to use this housing option for a greater proportion of the dependent and neglect cases handled by the courts. A correlation coefficient between the Shelter's admissions and sequential four week period showed a slight relationship or growth of admissions with time ($r = 0.46$). It certainly does not explain the drastic increase since January 1977.

The problem caused by the recent increase in runaways from the Shelter is particularly vexing; upon closer analysis of the problem the following facts were uncovered:

- There were 143 runaway incidents from the Shelter mid-January through June 1977. For the entire year of 1976 there were only 51 runaway incidents.
- 45 individuals were responsible for the 51 runaway incidents in 1976, while 89 individuals accounted for the 143 incidents in early 1977.
- The average age of the 1976 runaway group (38 individuals age known) was 14.3 while the average age of the 1977 runaway group (77 individuals age known) was 14.4; a finding consistent with the daily population statistics, i.e., the average age of the population has not changed significantly.

The past history of runaway incidents from the Shelter was checked for each individual who had run away at least once during the 1977 period and compared to the past history of individuals running away during 1976. Each group's runaway history was recorded for a one year period resulting in the distribution in Table VIII. It seems the revolving door has become somewhat of a spinning door. The average number of runaway incidents per individual has gone from 1.2 in the pre AB 3121 group to 1.6 in the post AB 3121 group. A check of these individuals' overall criminal history may be pursued in subsequent research if access to the records is possible.

The disposition of the 143 cases recorded as runaways from the Shelter mid-January and June 1977 is displayed below. 60% of the cases were returned, and another 7% were settled at intake; 8.4% were released, most of them to a relative. Over 20% of the runaway cases had no disposition records; 2% went to another part of probation services.

Disposition of 1977 Runaway Cases	Number	Percent
Returned	87	60.8
SAI	10	7.0
Released to relative	8	5.6
Released	4	2.8
Juvenile Hall & Juvenile Probation	3	2.1
Other	3	2.1
Blank	<u>28</u>	<u>19.6</u>
TOTAL:	143	100.0%

TABLE VII

CHILDREN'S SHELTER STATISTICS

	BOYS			GIRLS			TOTAL		
	1976	1977	% Change	1976	1977	% Change	1976	1977	% Change
Remaining	37.9	35.3	- 6.9	36.8	41.8	+ 13.6	74.7	84.0	+ 12.4
Admitted	50.9	61.2	+ 20.2	48.8	69.5	+ 42.4	99.8	132.3	+ 32.6
Released	47.7	53.3	+ 11.7	46.6	64.8	+ 39.1	94.3	116.5	+ 23.5
Avg. Daily Pop.	33.3	30.1	- 9.6	32.1	32.8	+ 2.2	65.3	62.9	- 3.7
Average Age	8.0	7.9	- 1.3	9.0	9.8	+ 8.9	8.5	8.8	+ 3.5
Avg. Length of Stay	23.1	17.9	- 22.5	22.1	16.1	- 27.2	22.6	17.0	- 24.8
Resident Days	947.2	837.7	- 11.6	897.2	895.8	- 0.2	1844.3	1733.5	- 6.0
Hospital	2.8	4.8	+ 71.4	2.3	2.7	+ 17.4	5.1	7.5	+ 47.1
Runaways	1.7	7.3	+329.4	2.2	15.8	+618.2	3.9	23.2	+494.9
Out Temporarily	4.9	13.7	+179.6	4.3	9.8	+127.9	9.5	23.7	+149.5

NOTE: 1976 columns refer to PRE AB 3121 information
 1977 columns refer to POST AB 3121 information

TABLE VIII
CHILDREN'S SHELTER RUNAWAY
Incidents per Individual*

Number of Runaway Incidents Per Individual (history for one year)	Pre AB 3121 1976	Post AB 3121 1977
1	29	57
	7	
2	7	17
3	0	8
4	0	6
5	0	1
<u>6</u>	<u>0</u>	<u>1</u>
TOTAL	36	90

* Each child has been tracked back exactly one year, so that a runaway on April 14, 1976 would have had his/her record checked to April 14, 1975.

B. Law Enforcement Arrest and Disposition Data

At the current time, only partial information has been received from police jurisdictions relative to arrest and disposition rates for calendar year 1977 (January 1 through June 30, 1977). The response from various police departments is as follows:

1. Complete arrest and disposition data has been returned (per Bureau of Criminal Justice Statistics) from the following departments:
 - Campbell Police Department
 - Gilroy Police Department
 - Los Altos Police Department
 - Morgan Hill Police Department
 - Mountain View Police Department
 - Santa Clara County Sheriff
 - San Jose City College Police Department
 - San Jose State University Police Department
2. Partial arrest and disposition data has been returned from the following departments:
 - Gonzales, Police Department
 - Milpitas Police Department
 - Palo Alto Police Department
 - San Jose Police Department
 - Sunnyvale Department of Public Safety
3. No arrest and disposition data has been received from the following police departments:
 - Los Gatos Police Department
 - Santa Clara Police Department
4. Two police jurisdictions have little or no contact with juveniles and will not be included in arrest and disposition data:
 - West Valley College District Police Department
 - San Jose Airport Police Department

The largest single police jurisdiction, namely the San Jose Police Department cannot be included in a statistical summary until several outstanding elements of data are collected. For this reason, it has been decided to report on law enforcement data in the record progress report in order to offer a complete summary of the juvenile flow through all police jurisdictions.

Information from police departments, thus far, indicates a substantial drop in listed status offenses over 1976 data, however the overall rates (including misdemeanors and felonies) are dropping at a much slower rate. There is minor indication that a few felony offenses are slightly increasing. A coherent analysis, however, will have to await complete statistics from all police departments.

To give an idea of the information being collected from police, a sample ARRESTS AND DISPOSITIONS form has been reproduced on the

ARRESTS AND DISPOSITIONS

January - June 1977	Number	Percent	January - June 1977	Number	Percent
1 - AGE				Total	Total
8 - 12			Misdemeanors		
13 - 15			Assault		
16 - 18			Theft		
N/A			Drug offense		
2 - SEX			Weapons		
Female			Drunk/Driving		
Male			Disturbing		
N/A			Malicious		
3 - ETHNIC OR RACIAL IDENTITY			Liquor		
American Indian			Another		
Asian American				Total	Total
Mexican-American			601 W & I		
Negro or Black			Incorrigible		
White or Anglo			Curfew		
Another			Truancy		
N/A			Runaway		
4 - STATUS OF OFFENSE			Another		
Citation			N/A		
Booking			DISPOSITION OF OFFENSE		
Other			Releases		
N/A			To parents/relative		
5 - CHARGES			Youth service bureau		
	Total	Total	Juvenile probation		
Felonies			Juvenile hall		
Homicide			Other police		
Robbery			To service agency		
Assault			Misdemeanor charges		
Burglary			Felony Charges		
Grand theft			Juvenile court		
Auto theft			Handeled in department		
Marijuana			Another disposition		
Another			N/A		

SECTION EIGHT: PUBLIC EDUCATION

The Evaluation Unit has set itself the task of engaging in a content analysis of all material written in local newspapers about AB 3121 and its implications. At this stage, it would be premature to report out on the various articles since little has yet been written. The Evaluation Unit is, however, collecting all such articles, and is being provided with all articles collected state-wide by California Youth Authority dealing AB 3121. We are indebted to Ernie Bachelor of CYA for providing the Evaluation Unit with data for comparison, and are hoping to report out on a content analysis either for the third progress report or for the final report.

Since the County's Project Director for AB 3121 was not hired until mid-May 1977, one facet of the AB 3121 implementation which has been lacking has been the public education drive. During this hiatus, the Evaluation Unit has looked into peripheral material for suggestive data which could be relayed to the Project Director. Specifically, the Evaluation Unit has examined a sample of local high school newspapers for reference to AB 3121, and has attempted an analysis of the MACSA-coordinated AB 3121 forum held in February 1977. In-house memoranda dated 21 June, 21 July, and 22 July 1977 deal with these extensively; the following is a more abbreviated account of our findings.

A. HIGH SCHOOL NEWSPAPERS

Four local high schools were asked to send their school newspapers to the Evaluation Unit. A member of the Evaluation Unit lectured to the journalism class at one of these high schools on the subject of AB 3121. While viewing this as a possible taint, it was felt that the consequences should reflect a marked increase in interest in the one "experimental" high school. The findings are as follows:

1. Of the 14 high school newspapers analyzed (representing four high schools), there was not one mention of AB 3121.
2. All high school newspapers devoted some space to serious teenage/high school problems, e.g., jobs, abortions, drugs, etc. They ranged from 1.3% to 16.5% of total space.
3. The high school devoting the maximum space (16.5%) to teen problems was also the high school at which the AB 3121 lecture had taken place.

- B. In February 1977, MACSA coordinated a one-day forum to discuss the implications of AB 3121. We are indebted to MACSA for this early effort in the face of the hiatus in community educational efforts. We are further indebted to Ms. Mary Raw of MACSA who supplied us with the names and addresses of the 320 persons who attended the forum.

The 320 persons were sent self-addressed post card mail questionnaires asking for information on the value of the forum. Two waves of mail-outs were accomplished. Because of inaccuracies in addresses, 279 persons received the questionnaire, and 117 (44.9%) responded. While this is a reasonably good return, the

respondents can in no way be considered scientifically randomized, hence all data may only be described as suggestive and tentative, rather than definitive. The findings are as follows:

1. The forum primarily reached professionals. Of those responding, 74% were agency-related, 10% were students in local universities and colleges, and 15% were interested citizens and parents.*
2. All three groups strongly felt that the forum was informative and relevant.**
3. Parents and interested citizens were most positive about the informativeness and relevance of the forum.
4. Within agency personnel, those connected with schools were most positive about the informativeness and relevance of the forum.
5. Some conflict was noted between "establishment" persons, i.e., those representing governmental agencies, and "community" persons, i.e., those representing voluntary agencies.

On the basis of the two short studies, the Evaluation Unit makes the following tentative suggestions to the Project Director in dealing with public education:

1. A broad-based community education program is needed.
2. Particular emphasis is needed in making both students and school personnel aware of AB 3121.
3. An educational effort might be taken which explains the unique roles and functions of community-based and government agency-based personnel, and the interstitial relationship between the two.

* rounding accounts for the fact that the percentages do not total 100%.

** A question on timeliness was also answered positively but the large number of "no answer" responses (probably as a result of the placement on the post card) militated against acceptance of these data.

A. Task Objective:

There is a broad spectrum of systems and services affected by the implementation of AB 3121. Because the referral and processing of juvenile cases is both complex, as discussed in Section Three, and sometimes oblique, changes in one function or service will cause a reaction in other parts of the system. An analogy might be made to dropping a stone in water where the waves reach out in every large circles but smaller ripples, till they disappear at the edge of the pool. As with the stone, the implementation of AB 3121 caused some rather dramatic changes in limited areas and many smaller alterations in the entire spectrum of juvenile justice services.

The purpose of the workload and cost analysis is to determine the size, in terms of dollars and effort, of the changes, resulting from the new legislation, both direct and obscure. The cost information relates only to AB 3121 changes as this was the evaluation mandate. No attempt has been made to determine the total cost of processing juveniles through the entire system -- an effort that would require considerable resources and is beyond the Evaluation Unit's scope.

B. Approach and Method:

The approach used in this task was to question financial officers, managers, and administrators in the Juvenile Probation Department, Office of the District Attorney, Office of the Public Defender, community service providers (Emergency Treatment Center and Alum Rock Counseling Center), Criminal Justice Resource System, Regional Criminal Justice Planning Board-Evaluation Unit, and AB 3121 Project Director to obtain initial budget estimates, actual expenditures, budget projections, actual and projected workload data and justifications. The focus of this inquiry was to determine if the agencies had or were contemplating adding staff, reassigning personnel, altering the use of facilities or entering into new contracts as a result of the implementation of AB 3121 and then to determine the associated costs.

Through telephone surveying, project user interviews and some meetings with financial officers, workload data were gathered to determine the relationship of AB 3121 on agency costs. The intent of the workload survey was to accurately reflect the agencies' workload as they perceive it. Workload data were collected from agencies where it was available and examined as with the other measures of impact (pre/post AB 3121) with a calculation of percent change.* In addition, agencies were often asked to interpret the workload information to determine if in their opinion the observed changes were caused by AB 3121 and how the workload changes affected their functions. Many times the changes in functions are small and constitute an inconvenience more than a redefinition of job responsibilities, e.g., increased coordination, movement to other offices, etc. Cost associated with inconvenience were impossible to estimate.

* Except as otherwise noted, post AB 3121 figures cover January through June 1977 data.

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If agencies used the workload information to justify changes in budgets, these changes were identified as direct costs. For this analysis, direct costs relate to those expenditures which have resulted in a movement of money from one source to another in order to implement the new legislation. Direct costs have usually been identified as such in public documentation.

The more obscure or hidden costs are those which have not caused a change in budgets but have nevertheless occurred as a result of new legislation. They are less easy to uncover and certainly more difficult to prove. The link between certain hidden costs and the new legislation are postulated herein, although the effort to determine the extent of these costs has only just begun.

The difficulty with the hidden cost analysis is the risk of falsely associating observed changes with the new legislation. As with all social research, the environment for study does not remain constant while one phenomenon is investigated to its logical conclusion. When more than one stone is dropped into the pool, the waves may converge; it is difficult to determine which pebble results in the observed ripples. There is always the chance that independent stimuli are in fact the catalysts for the observed changes and not the result of AB 3121 at all. Where this type of inferential error is possible, the reader is cautioned to that effect.

No attempt has been made to identify cost savings at this time.

Further, the development of workload data, beyond those already maintained by each agency, would require a major work measurement study -- an effort clearly beyond the resources of the evaluation. A reasonable analysis of staff utilization, and therefore budget development, would require work descriptions, process analysis, work measurement and a sophisticated reporting system from the various agencies.

Many of the functions and services that Juvenile Probation provides have been studied by the County's Operations Analysis section, and caseload standards have been developed and were used in past years to determine the staff complement necessary to accomplish tasks. With increased caseloads brought about from the gradual increase in crime and arrests and with a tighter economy throughout the County, many of the Operations Analysis techniques were determined to be unworkable as applied to budget projections. For example, Operations Analysis estimated that an investigation of 601's required three hours of work. On this basis Juvenile Probation could justify more Probation Officer's some time ago yet the increase in staff did not occur. Since AB 3121 was implemented Juvenile Probation Department supervisors say a 601 investigation takes 5 to 6 hours yet no new weighting system has been developed.

The standards must be in constant revision in order to be relevant to current requirements. Unfortunately, most of the standards established a few years ago are now hopelessly obsolete with the change in functions pursuant to the new legislation.

The Juvenile Probation Department has developed its own Accounting Resources Management System to monitor costs by responsibility center and a management system (SM & SD) which allows calculation of expected caseloads and personnel utilization rates. For this report these systems were not used to estimate increased workload and therefore hidden costs resulting from AB 3121, but the feasibility of doing so for future reports is being investigated.

For most agencies, the workload data are used to justify budget requests in a subjective rather than objective manner, i.e., workload numbers are usually not divided by time factors to determine the number of positions needed to perform certain functions although this was initially part of the County's purpose in pursuing the Operations Analysis studies. The lack of standard factors to be used in deriving caseloads and therefore cost estimates is an important drawback of this approach.

C. Juvenile Probation Department:

1. Status Offender Housing: The new legislation mandates that status offenders (Wet Code 601) can no longer be housed in secure detention. The Juvenile Probation Department interpreted the intent of this requirement of the legislation to mean 601's should be provided home-like environments, and therefore sought approval to contract for emergency bedspace for 601's in private homes.

The Department received the Board of Supervisor's approval to contract for up to 30 emergency 601 beds, which resulted in contracts with the Adolescent Rehabilitation Counseling Center (ARCC), for up to six beds for girls and three beds for boys and the CORPUS home with four beds for either boys or girls. The homes are licensed as foster homes and paid \$60.00 per month for each bed held for the exclusive use of the Probation Department and \$14.00 per day for each day one of the beds is occupied by a minor.

Because the referral rates for 601's changed with AB 3121, the number of status offenders the Department needed to house in non-secure facilities has been small. The average number of referrals per four week period since January was 42.7 for new referrals and 12.5 for re-referrals. Early statistics on the number of 601's housed in non-secure facilities on any given day during the first three months of 1977 showed large fluctuations. The high was 13 and the low was 1. Usually there were between eight and ten juveniles in 601 detention at any given time.

The increased involvement of the District Attorney has led to additional paperwork for Probation Officers, greater quality and quantity of evidence gathering, longer investigations, longer petitions, longer court reports and more coordination.

The Probation Officers must look for a Deputy to review petitions, a process which may take up to an hour. Other Probation Officers may be waiting to see the District Attorney or there may be no Deputies available when the Probation Officer needs assistance. When cases with more than one offender are being reviewed, the District Attorney seeks consistency in petitioning. Often the accomplices are supervised by different Probation Officers who must meet with the Deputy.

Similarly, Probation Officers are now required to deal more with defense counsel and clerical functions have increased with the increased paperwork.

At this time no cost increases have been calculated for these changes in function and workload.

3. Juvenile Hall: Although status offenders are no longer housed in Juvenile Hall, the average daily population has not decreased since AB 3121 was implemented. The average daily population was 258.5 in 1976, but averaged 275.8 during the first six months of 1977, a 7% increase. During several conversations with detention personnel, the subject of additional workload related to non-secure 601 housing was discussed. There is a general displeasure with the inconvenience associated with the changed procedures; but beyond this, there is probably some real costs associated with the changes. It is the staff's opinion that each of the following factors associated with shelter care housing have caused increased costs:

- waiting and transportation time for counselors
- medical clearance costs
- monitoring and clerical costs
- management costs.

Counselor time supervising a status offender is he/she waiting in a non-secure part of Juvenile Probation and then transported and processed at the shelter homes is estimated as one hour per processing. The counselor would not be available for work in the Hall during this time, and therefore the estimated \$1,319.00 (\$6.25/hour times 211 processings) is a hidden cost entirely associated with AB 3121 implementation during the first half of 1977.

Similarly, the Juvenile Hall nurse must leave her post in the Hall to clear the youth before transportation to the non-secure home, a process taking approximately one-half hour. The resulting \$791.00 (\$7.50/hour times 241 processings divided by 2) is a hidden cost to Valley Medical Center. The Probation Department is on call to the homes for medical needs of the youths as well. Probation Transportation Officers have been called upon to transport juveniles from the non-secure houses to the hospital ten to fifteen times since AB 3121 at a cost of approximately \$71.00.

The costs associated with the clerical and monitoring of the homes for billing purposes have not been estimated. Management's times involved in working with the 601 housing problems is approximately one hour per day or \$12.00 for the first half year.

4. Community Release: The Community Release Program was a two year LEAA project designed to minimize the number of minors awaiting court jurisdictional hearings. This was accomplished by releasing minors from Juvenile Hall who were awaiting court appearances and who presented minimal risks of flight or criminal conduct pending disposition of their charge. LEAA funding terminated in November 1976; Revenue Sharing resources supported the effort through June 1977.

AB 3121 now mandates a community release function called home supervision. Although Santa Clara County was early in implementing this type of service, the ongoing cost at \$36,600.00 for January through June 1977 and \$69,093.00 for 1977-1978 is no less a direct cost of the new legislation.

5. Other Functions of Juvenile Probation:

a) Children's Shelter

Although the Children's Shelter population has dramatically changed since AB 3121 was implemented the average daily population statistics show an actual decrease (see discussion in Section Three). Administrative problems within the Shelter associated with the impact of AB 3121 may cause some slight cost increases; these have not been estimated at this time. It would appear that since the overall number of resident days has decreased, no large hidden costs can be identified.

b) Rehabilitation Facilities

The new legislation seems to have a causal relationship with the increase in ranch population figures. The cost associated with these changes have not been calculated at this writing.

c) Placement and Supervision

Supervisors from both Placement and Supervision Sections have indicated changes in workload with the new legislation but these have not been converted into dollar values at this time. For example, delinquent supervision caseloads are up 28% (from 60 to 77); some of this increase is related to the possible reclassification of 601's as 300's. No cost estimates have been attached to these changes.

D. Office of the District Attorney (DA)

1. Juvenile Workload Data

The District Attorneys' Office had assigned three Deputy District Attorneys to the Juvenile Court prior to 1977. Before AB 3121 was implemented, the District Attorney appeared in Juvenile Court only on contested hearings, the actual trial of the criminal charges which serve as a basis for 602 petitions. Under the new legislation, 681(a) W&I Code, the District Attorney is mandated to appear at all stages of 602 petition processing -- detention, fitness, jurisdictional and disposition hearings -- as well as to review petitions for evaluation of legal admissibility of evidence.

a) Detention Hearings

At detention hearings the Referee hears evidence and arguments and decides whether or not a juvenile is to be remanded into custody pending outcome of the 602 petition and as such is a rough equivalent of bail hearings. There were approximately 2500 detention hearings between January and June of 1977 which the District Attorney now uses as a measure of workload. However, Juvenile Probation Department Court Unit records show that Deputy District Attorneys were present in 70% of the detention hearings, a statistic that remains fairly constant over the six month period. Since Deputies were present in only eight detention hearings in 1976, the 1741 hearings at which they appeared in early 1977 represents a considerable amount of additional time.

b) Fitness Hearings

New law 707(b) W&I Code (resulting from AB 3121) provides that where a juvenile, 16 or 17 years of age, is accused of one or more of a list of certain violent crimes, he is presumed unfit for treatment as a juvenile offender and bears the burden of convincing the court under certain enumerated criteria that he should remain within the Juvenile System. A Fitness Hearing is held to present evidence and decide whether or not to remand a juvenile to Adult Court.

Heretofore, the Deputy District Attorneys rarely participated in Fitness Hearings. With the implementation of AB 3121, the responsibility to petition for a Fitness Hearing now rests with the District Attorney rather than the Juvenile Probation Department. There were approximately 58 Fitness hearings between January and June 1977, which resulted in 46 remands to the Adult Court (79% of hearings led to a remand). Presumably, because of the serious consequences for a juvenile remanded to the Adult Court, the Fitness Hearing is very adversary in nature and consumes a substantial amount of court and therefore District Attorney time.

It is interesting to note that a gradual increase in Fitness Hearings has been observed since late 1975:

	<u>Number of Fitness Hearings</u>	<u>Remands to Adult Court</u>
July through December 1975	19	--
January through June 1976	31	24 (77%)
July through December 1976	40	31 (78%)
January through June 1977	58	46 (79%)

Although the District Attorneys' involvement, and therefore the mandate of AB 3121, may be responsible for some of the recent increase, the overall trend follows the increase in Public Defender caseload and the greater severity of offenses. The outcome of these hearings has not changed significantly, i.e., most offenders who have Fitness Hearings are remanded to the Adult Court (77-79%). The Deputy District Attorneys' presence in the hearings has not significantly altered the judges' decision.

The side effect of the increased remands to the adult court on the Sheriff's Department and adult jail is discussed in later sections; the impact of remands on the municipal and adult superior criminal court processing has not been studied at this time.

c) Jurisdictional and Dispositional Hearings

The Juvenile Probation Court Unit calendar shows that from mid-January through June 1977, 4048 jurisdictional and dispositional hearings (including W&I 300, 601, and 602 cases) took place, 76% of which were attended by District Attorneys. This is compared to 7589 jurisdictional and detention hearings in 1976 of which 14% had Deputy District Attorneys.

The jurisdictional hearings that are contested has been one of the District Attorneys' measures of workload in the Juvenile Court; the 1977 test period shows a marked increase (from 35 to 40%) over prior six-month periods:

<u>Period</u>	<u>Trials and 300 W&I Hearing. (by defendant)</u>
January - June 1975	208
July - December 1975	258
January - June 1976	227
July - December 1976	327
January - June 1977	348

Although the District Attorney is mandated to appear at W&I 602 disposition hearings also (the equivalent of probation and sentencing hearings in the adult court), this is not used as a separate workload measure since the jurisdictional and disposition hearings are held at the same time.

d) Petition review and filing

Under the new legislation, the District Attorney must review all 602 W&I Code petitions, including uncontested petitions, wherein the juvenile has admitted guilt and proceeds directly to a Disposition Hearing. Petition review usually consists of examining the underlining police reports for evaluation of legally admissible evidence. Heretofore, the District Attorney reviewed only contested 602 W&I Code petitions as requested.

The District Attorney's Office correctly anticipated an immense increase in volume of petitions that must be reviewed and assigned Deputies to be available at all times to the Juvenile Probation Officers presenting requests for petitions. Because of the short deadline before filing (48 hours), they are given immediate attention.

AB 3121 also altered 655 W&I Code; under the new law should a Juvenile Probation Officer decline to recommend the filing of a 602 W&I Code petition, the party seeking the affidavit, usually a police officer, may review that decision with the District Attorney, who has final authority to determine whether or not a petition should be filed.

The number of petitions filed has been added as a measure of District Attorney workload; since January, District Attorney records show 2376 petitions filed. Contested petitions remain a workload measure; a substantial increase since January 1977, has been observed:

<u>Period</u>	<u>Contested Petitions (by defendant)</u>
January - June 1975	472
July - December 1975	493
January - June 1976	533
July - December 1976	436
January - June 1977	733

The District Attorney has been unable to assign standard time factors to each of the workload items and thereby calculate staffing needs. They feel that laws, such as AB 3121, change their workload so rapidly that the standards would be inappropriate by the time they become established. Also, the required amount of DA time is dictated by court time. If another judge were added, the number of Deputies needed would increase. Similarly, the required number of investigators is determined by the number of assigned attorneys. Because of the increase in DA workload associated with the Juvenile Court, one of the DAs' investigators is informally working on juvenile cases approximately half-time. Since January, one half of an investigator's salary represents \$4,525 in hidden costs associated with AB 3121. If continued, it will cost the County:

FY 1977-78*	\$ 9,500
1978-79*	9,975
1979-80*	10,474

2. Further Cost Analysis

Having anticipated the increase in workload resulting from new mandated responsibilities under AB 3121, the District Attorneys' Office requested in December, 1976, five new positions to be assigned to the Superior Court Division:

3 attorneys
1 legal stenographer
1 clerk III

At that time the Board of Supervisors approved the request and transferred \$37,331 to the District Attorneys' budget to provide for salaries and benefits, services and supplies and fixed assets for these positions for the remainder of fiscal year 1976-77.

Subsequently, the District Attorneys' Office has not requested additional positions to augment the Juvenile Court staff, nor do they anticipate the need to do so in the near future. The projected cost resulting from the five positions authorized at the beginning of the year are:

*full cost for 1977-78:	\$83,824
*full cost for 1978-79:	87,709
*full cost for 1979-80:	92,122

^A Does not provide for cost-of-living increases.

E. Office of the Public Defender (PD):

1. Juvenile Workload Data

a) Detention, Jurisdictional and Dispositional Hearings

The Public Defenders' Office had assigned three attorneys and one social worker to the Juvenile Court prior to 1977. Unlike the District Attorney, a defense attorney's attendance at the various hearings is not mandated by AB 3121. Attorneys have been defending juveniles in court for some time. In fact, the Court Unit's records show that 35% (1614) of the 4588 detention hearings in 1976, and 53% (4020) of the 7589 jurisdictional and dispositional hearings in 1976, were for cases with Defense Attorneys. Nevertheless, the Public Defenders' workload in Juvenile Court has grown since January with the steady increase in a) the number of hearings, b) the involvement of the DD and c) the adversary nature of the hearings. Since January, the number of cases with attorneys has increased to 46% of the Detention Hearings (1061 cases with attorneys of 2314 Detention Hearings) and 60% of the Jurisdictional and Dispositional Hearings (2453 cases with attorneys of 4048 hearings). Although these data do not show the dramatic increase as seen in the District Attorney's workload, the number of hearings with attorneys has increased 42% for Detention Hearings and 31% for all other hearings since January 1, 1977. See the pre-post AB 3121 comparisons on Table 1.

Of particular note in comparing these statistics pre and post AB 3121 is the fact that the referee's decisions have not significantly altered since the new legislation was implemented. The presence of deputy District Attorneys and defense attorneys at many more detention hearings has led to greater adversary proceedings, but the outcome generally remains the same. A little over 60% of the hearings result in detention; another 30% are released; 6% to 7% are continued, and the remainder are handled off calendar.

The Public Defenders' workload data show that their juvenile attorneys conducted 65 contested 601 Dispositional Hearings out of a total of 1477 petitions between July, 1976, and February, 1977. According to the Public Defenders AB 3121 only became operational in March, and subsequently 218 Dispositional Hearings out of 1,077 new petitions were handled; i.e., the monthly average number of contested Dispositional Hearings grew from 8.2 before AB 3121 to 56.5 after AB 3121 or a 700% increase. These data are not completely consistent with the Court Unit records; the discrepancies are not totally understood at this

TABLE 1
COURT UNIT STATISTICS

	1976 Pre AB 3121 Average # per 4-week period	1977 Post AB 3121 Average # per 4-week period	Percent Change
Detention Hearings	352.9 (100%)	385.7 (100%)	+9.3%
Detained	221.9 (62.9%) #	234.0 (60.7%) #	+5.5
Released	106.1 (30.1%) #	116.2 (30.1%) #	+9.5
Continued	22.7 (6.4%) #	28.7 (7.4%) #	+26.4
Off Calendar	2.2 (0.6%) #	6.8 (1.8%) #	+209.1
Case with attorney	124.2	176.8	+42.4
District Atty. present	0.6	275.8	+766.1
Transfers Out	8.2	10.7	+30.5
 All Other Hearings*	 588.9	 677.0	 +15.0
Cases with attorneys	313.3	410.9	+31.2
District Att. present	85.7	512.4	+497.9

*Includes Judge Pro Tempore and trial calendars

#Percent of detention hearings resulting in option

b) Fitness Hearings

The Amended Welfare and Institutions Code Section 707 now places the burden on the juvenile who is alleged to have committed one of the enumerated crimes to show that he is "fit" to be treated in the Juvenile Court. The Public Defender is responsible for preparation of these arguments; the adversary nature of the hearing requires considerable defense attorney time in both preparation and presentation. As the data are presented in the District Attorney workload section, it is difficult to ascertain the cause-effect relationship of this increase to AB 3121, however. Fitness hearings have been increasing since 1975 (the earliest point for which data were collected) with the increased severity of juvenile crime. The Public Defender has traditionally been involved in these hearings. The fact that there are a greater number of fitness hearings certainly increases PDs' workload, but it's not necessarily because of AB 3121.

c) Impact of AB 3121 on 601 Cases

With AB 3121 came a drastic decrease in 601 petitions. The Public Defenders' files show that during fiscal year 76-77, they handled a total of 222 cases involving 601 petitions for a monthly average of 18.5 cases. In the last six months of 1976, they handled 154 cases for a monthly average of 25.6 cases. In the six months after AB 3121, the Public Defenders' Office handled 68 cases for a monthly average of 11.3 cases or a decrease of 56%.

Nevertheless, the Public Defender argues that the increased travel to the new non-secure facilities to interview juveniles charged with 601 violations has resulted in considerable staff time.

d) Other Referrals to Public Defender

While 601 referrals to the Public Defender decreased, 602 cases requesting representation increased from an average of 175.2 per month between July and December, 1976, to 248.3 per month between January and June, 1977, a 42% increase.

Although 300 referrals to the Probation Department soared over the last half year, the number referred to the Public Defender did not increase over the prior six-month period; in fact, a decrease in 300 referrals to the PD was observed. Between July and December, 1976, an average of 12.3 such cases per month were referred to the Public Defender; compared to 10.2 cases per month between January and June 1977, a decline of 17.5%.

e) Social Worker's Role

A social worker was added to the Public Defender's Juvenile Court Section for purposes of implementing the legislation, bringing the total to two social workers assigned to Juvenile Court. One of the social worker's primary duties is to determine whether a minor who will proceed to a fitness hearing:

- can be rehabilitated,
- has been involved in properly operated programs, and
- can be placed in an alternative rehabilitative program.

The juvenile's attorney has the responsibility of convincing the court to meet the burden of proof:

- that the minor's "criminal sophistication" is minimal,
- that he can be rehabilitated,
- that any earlier juvenile court programs were designed and carried out in a manner which might best insure success,
- that he has had little, if any, delinquent background, and
- that the circumstances of the new acts should not exclude the minor from the juvenile court process.

The social worker aids the trial attorney in court preparation.

As noted in the District Attorney workload discussion, the involvement of the District Attorney in the fitness hearing process has not changed the outcome of these hearings. The same conclusion can be drawn about the additional social worker's time devoted to the preparation of arguments for these hearings. Almost 80% of the cases having fitness hearings results in remands to the adult court, a percentage which remained almost constant for the last two years regardless of the increased professional time for preparation and presentation.

The second function of the new social worker on the Public Defender's Juvenile Court staff is to evaluate the home environment to determine if a minor should be released to home supervision pursuant to Section 628.1 as authorized in AB 3121. The legislature requires release if:

- there is effective parental care and control,
- there is no danger to parental neglect or abuse,
- the minor is not likely to flee, and
- there is no danger to others or their property.

The standard for continuing a youthful offender in secure custody was changed to "reasonable necessity." It is now encumbant upon the attorney, with the aid of the social worker, in preparing for the detention hearing, to independently investigate, evaluate and present at detention hearings the factors which indicate there is no reasonable grounds to believe the minor is likely to injure the person or property of others.

f) Investigative Division

The Public Defender's workload measures show that during fiscal year 75-76, the Investigative Division handled 131 juvenile cases. In fiscal year 76-77, the number of juvenile cases investigated expanded to 230 cases, or a 75.5% increase. The monthly average of juvenile cases investigated increased from 18 before AB 3121 to 22.5 after AB 3121. Based on these data and the rapid handling of juvenile cases, a full-time investigator was hired and assigned to the Juvenile Court Section.

2. Cost Analysis

As with the District Attorney, the Public Defender has not assigned specific time standards to the juvenile court workload data which would be used to calculate the number of attorneys, social workers or investigators required. But based on the predicted and actual workload figures, the Public Defender was successful in convincing the Board of Supervisors to approve 7 new positions to handle the duties and responsibilities in Juvenile Court imposed by AB 3121. Three (3) positions (one attorney, one investigator and one legal stenographer) were approved as an emergency measure in early January. Two of the remaining four (4) positions (one attorney and one legal aide) were approved by the County Executive in April based on caseload and workload justifications. The social worker position was filled on a non-urgency basis.

As of June 30, 1977, the Public Defender had filled six (6) of the seven (7) positions. This situation remains unchanged through August 1, 1977. The six (6) positions and their costs between January and June, 1977, were as follows:

<u>Position</u>	<u>Date Hired</u>	<u>Cost</u>
Attorney III	1/11/77	\$12,254
Legal Stenographer	1/26/77	4,178
Investigator I	2/22/77	5,167
Social Worker	3/21/77	4,906
Legal Aide	5/02/77	2,364
Attorney I	5/16/77	1,764

(not including benefits)

Conditions are:

1977-78	Salaries and benefits	\$13,111
	Services and supplies	14,111
*1978-79		143,111
*1979-80		155,111

F. Superior Court - Juvenile Division

1. Court Reporter for Juvenile Court Referee

Prior to AB 3121 all judicial positions in the Superior Court were assigned permanent court reporters, with the exception of the Juvenile Court Referee. The new legislation provided a necessary caveat to justify assigning a court reporter to the referee as well.

The Dixon Bill provides that a minor whose case is heard before a referee has the right to apply for a rehearing before a judge of the Juvenile Court. If the proceedings before the referee are recorded by an official reporter, the judge may grant or deny the application based on an examination of the transcript. If the proceedings before the referee are not recorded by an official reporter, the application is automatically granted.

In actual experience, the court has indicated very few rehearings since AB 3121 became effective. Whether this is a result of the court reporter in detention hearings is not known.

Other Measures of Juvenile Court Workload

With a 15% increase in the number of hearings (other than detention hearings) since AB 3121 was implemented (see Table 1) and with the additional adversary proceedings, there is some speculation that another judge should be assigned to the Juvenile Court. Yet no one suggested that there is a backlog of cases in the Court. Since March the Juvenile Court has had a judge (Jo Tom) assisting on a parttime basis, and averaging 58.5 hearings per four-week period. This represents about 20% of the average number of hearings each of the other departments have heard per four-week period. Without credit given for the average amount of time consumed by the

five percent annual merit increase and inflation, but does not take for cost-of-living increases.

hearings, these workload data are not helpful in predicting the need for a third Juvenile Court Department

3. Cost Analysis

The Board of Supervisors authorized a new position of court reporter in January which required \$10,245 for the balance of the fiscal year. The financial requirements associated with this position for the next three fiscal years are:

1977-1978	\$24,192
1978-1979	\$25,402
1979-1980	\$26,611

Hidden costs associated with the Pro Tem Judge and support staff since March (four months) of this year, estimated as 20% of one Superior Court Department include:

Salaries and benefits	\$19,667
Supplies and operating exp.	\$ 1,133
Overhead*	<u>\$ 4,267</u>
TOTAL:	\$25,067

G. Santa Clara County Sheriff's Office - Juveniles in Adult Jail

As the previous analysis of fitness hearings and remands to the adult court shows, the number of juveniles found unfit has been gradually increasing over the past two years with no particular upsurge since AB 3121 was implemented. The numbers of juveniles housed in the adult jail increased dramatically since February**, however:

Juveniles Housed in Adult Jail

	<u>Boys</u>	<u>Girls</u>	<u>Total</u>
July through December 1976	11	2	13
February through July 1977	47	0	47

The average number of juveniles housed in the mail jail has jumped from less than two per month to over seven per month, a change which in the opinion of both the Sheriff's Department and Probation Department's staff is almost certainly a result of the new legislation.

* Taking 20% of the court's overhead costs per Department assumes that the courtroom facility can be appropriately utilized and supported through other means for the remaining 80%, an assumption which might be totally fallacious.

** January data were not available, so July information was included to allow comparisons between two six-month periods.

The criteria for the Probation Department's request that the Sheriff house a juvenile is based upon an inability to handle the youth in the Juvenile Hall. The Sheriff's staff will not refuse the Probation Department's request but prefers that Probation keep the child since the jail is already overcrowded and housing juveniles in the same facility with adults creates some logistical difficulties. The juvenile and adult inmates must be housed separately. Also, not all juveniles referred to the county jail are remands to adult court.

The thirteen juveniles housed in the Sheriff's Detention facilities during the latter half of 1976 stayed a total of approximately 300 days. This can be compared to an estimated 1240 child care days for the 47 minors in the adult jail in the six-month period of 1977*. It costs the Sheriff's Department \$21.04 per day to house prisoners in the main jail and \$22.19 per day per inmate at the Women's Detention Facility (WDF).** Assuming there would not have been a similar increase in juveniles sent to the main jail without the new legislation, AB 3121 has cost the Sheriff \$19,548, a hidden cost since the Sheriff has not been reimbursed for housing the additional juveniles. If this trend continues it will cost up to \$62,554 (using the new rates) during fiscal year 1977.

Other costs associated with the additional workload of serving subpoenas for the juvenile court and additional bailiff time in court have not been estimated at this time. Further attempts to determine these costs will be made in subsequent research.

H. Project Budget and Expenditures

The project entitled "Implementation of AB 3121 Plan Relative to Juvenile Offenders" consists of several individual components organized, coordinated and supervised by a Project Director, Robert Hiram. The total project budget is \$220,348 of which \$198,313 are LEAA grant funds. The two community service projects were budgeted at \$12,300 for the Emergency Treatment Center and \$18,000 for Alum Rock Counseling Center.

Unfortunately, the Sheriff's recordkeeping methods changed between 1976 and 1977. Consequently, child care days for each of the two periods (pre and post AB 3121) were estimated using different methods; there may be a slight error in the estimates but pre and post values are comparable.

** These cost-per-day estimates were calculated in 1975 and were the approved values used during the period in question. A more realistic value of \$33.44 per main jail prisoner day and \$42.68 per WDF prisoner day had been calculated using current budgeted figures. Because of the large difference in these two sets of dollars/prisoner day, it is almost a certainty that the total costs reported above are grossly underestimated. They could be as much as 60% greater.

Expenditures and workload for the Emergency Treatment Center project for the first half of 1977 is Exhibit IV. The budget and expenditures for the Criminal Justice Education & Training Resource System, RCJPB Evaluation Unit and the Project Director are outlined in Exhibits I, II and III.

1. EXHIBIT I, CRIMINAL JUSTICE EDUCATION AND TRAINING RESOURCE SYSTEM (CJRS)

The total budget of the CJRS operation for one year is \$247,670 of which \$32,473 or 13% is for the AB 3121 Training Component.

A very small portion of the AB 3121 Training Component work had been accomplished as of June 30, 1977; the start-up of work was delayed largely because of the late hiring of the AB 3121 Project Director. Nevertheless, the staff of CHRS made preliminary efforts on the AB 3121 training package an estimated 184 hours prior to June 30. This in kind contribution amounted to \$1,845 from the CJRS budget. Another 56 hours of law enforcement and correctional officer time was dedicated to the effort (\$673). The \$548 from operating expenses was used to purchase 50 video tapes. The total expenditures for the AB 3121 Training Component between January and June 1977 was \$3,066.

Of particular note also is the fact that over 50% of the AB 3121 Training Component Budget is for equipment purchases which constitutes 86% of the total CJRS Equipment Budget this year.

2. EXHIBIT II, REGIONAL CRIMINAL JUSTICE PLANNING BOARD EVALUATION UNIT (RCJPB-EU)

The total budget of the RCJPB Evaluation Unit operation is \$68,738 of which \$16,500 or 24% is for AB 3121 evaluation services.

As with CJRS a small portion of the actual contracted budget had been spent as of June 30, 1977 (16½% or \$2,725). The slow start-up was due to the late hiring of the AB 3121 Project Director and because most of the evaluation effort will come after one year of implementation when the real impact can be measured. The staff of the Evaluation Unit did spend considerable time (638 hours) or 11% of the other project revenue in preliminary AB 3121 evaluation efforts. The in kind contribution amounted to \$5,945. The total expenditures for the AB 3121 evaluation component between January and June 1977, was \$8,670.

3. EXHIBIT III, REMAINING AB 3121 PROJECT BUDGET AND EXPENDITURES

The remainder of the AB 3121 project budget is outlined in this exhibit. \$3000 for Consultant Services had been expended as of June 30, 1977, which is only 2% of the remaining budget. Robert Hirano's late hiring is the primary explanation for this. The bulk of the project activity will occur in the last half of 1977.

EXHIBIT I

CRIMINAL JUSTICE EDUCATION AND TRAINING RESOURCE SYSTEM (CJRS)
BUDGET AND EXPENDITURE SUMMARY

	AB 3121 CONTRACT FUNDS			OTHER REVENUE	TOTAL OPERATING BUDGET	CJRS IN KIND CONTRIBUTION	TOTAL AB 3121 COSTS JANUARY-JUNE 1977
	BUDGET	EXPENDITURES AS OF 6/30/77	BALANCE				
Personal Services	\$ 7,240		\$ 7,240	\$122,190	\$129,430	\$1,845	\$2,518*
Travel	450		450	18,960	19,410		
Consultant Services	4,450		4,450	41,221	45,671		
Operating Expenses	3,553	\$ 548	3,005	30,076	33,629		548
Equipment	16,780		16,780	2,750	19,530		
TOTAL	\$32,473	\$ 548	\$31,925	\$215,197	\$247,670	\$1,845	\$3,066

* Includes a \$673 in kind contribution from training officers in Juvenile Probation Department, Sheriffs' Office, and San Jose Police Department.

EXHIBIT II

REGIONAL CRIMINAL JUSTICE PLANNING BOARD EVALUATION UNIT (RCJPB-EU)
BUDGET AND EXPENDITURE SUMMARY

	AB 3121 CONTRACT FUNDS			OTHER REVENUE	TOTAL OPERATING BUDGET	RCJPB-EU* IN KIND CONTRIBUTION	TOTAL AB 3121 COSTS JANUARY-JUNE 1977
	BUDGET	AS OF 6/30/77	BALANCE				
Personal Services	\$ 1,680		\$ 1,680	\$11,317	\$12,997	\$2,286	\$2,286
Travel	310		310	1,542	1,852		
Consultant Services	13,260	\$2,725	8,873	32,163	45,423	3,659	6,384
Operating Expenses	1,250		1,250	5,940	7,190		
Equipment	0		0	1,276	1,276		
TOTAL	\$16,500	\$2,725	\$12,226	\$52,238	\$68,738	\$5,945	\$8,670

bb

*
Supplies and miscellaneous expenses (i.e. printing and xeroxing;
have not been estimated.

EXHIBIT III

REMAINING AB 3121 PROJECT BUDGET AND EXPENDITURES

	TOTAL BUDGET	EXPENDITURES AS OF JUNE 30, 1977	BALANCE
Personal Services	\$ 9,990		\$ 9,990
Travel	1,000		1,000
Consultant Services*	116,027	\$3,000	113,027
Operating Expenses	14,048		14,048
Equipment	0		0
TOTAL	\$141,065	\$3,000	\$138,065

* Minus CJRS, RCJPB-EU, ETC and Alum Rock Contracts

100

I. Community Services Expenditures

The two crisis counseling projects were funded through the AB 3121 project for a total of \$12,300 for ETC and \$18,00 for Alum Rock. ETC has expended all of the AB 3121 budget as of June as exemplified in EXHIBIT IV. The Alum Rock expenditures for the same time period are not available because the Evaluation Unit neglected to ask for the information in a form consistent with their bookkeeping system. No projected costs have been reported to the Evaluation Unit at this time. An effort will be made to include accurate information on crisis counseling services in the next report.

- J. The total cost between January and June 1977, implementing AB 3121 is reported in EXHIBIT V. Direct costs to the criminal justice system total \$147,213. Those hidden costs which were identified in this reporting period totaled \$52,450.00 for a sum of almost \$200,000.

External costs associated only with the AB 3121 project total \$18,873 through June with another \$8,125 of in kind contributions. The known cost of these functions from January through June was \$27,671.

The grand total of identified expenditures associated with the implementation of the new legislation was \$227,334 for the six month period (\$166,086 for direct costs; \$60,575 for hidden costs).

Although the data is incomplete, EXHIBIT VI shows the projected costs of continued implementation for fiscal year where it was known. A total expenditure of at least \$751,955 is anticipated for the coming year.

EXHIBIT IV

AB 3121

ETC BUDGET SUMMARY
January through June 1977

	TOTAL OPERATING BUDGET	EXPENSES	REMAINING BUDGET	OTHER REVENUE	VARIANCE
Temporary Shelter & Support Services	\$1585.00	\$1802.51	\$217.51	\$335.00	\$117.49
Administrative Assistant	\$1750.00	\$1750.00	-0-		-0-
Social Worker	\$3015.00	\$3009.84	\$ 5.16		\$ 5.16
Counseling Services	\$6250.00	\$6037.65	\$212.35		\$212.35
TOTAL:	\$12600.00	\$12600.00	-0-	\$335.00	\$335.00

No projections for July - June 1978 because they will only be involved with AB 3121 through September 1977.

EXHIBIT VCOST OF IMPLEMENTING AB 3121
January through June 1977

	<u>DIRECT</u>	<u>INDIRECT</u>	<u>TOTAL</u>
<u>CRIMINAL JUSTICE SYSTEM COSTS</u>			\$72,314
Juvenile Probation Department			
Status Offender Housing	\$32,404		
Juvenile Hall		\$3,310	
Community Release	36,600		
District Attorney's Office	37,331	4,525	41,856
Public Defender's Office	30,633		30,633
Superior Court - Juvenile Division			35,312
Court reporter	10,245		
pro tem Court			
Sheriff's Office		25,067	19,548
SUB-TOTAL	\$147,213	\$52,450	\$199,663
 <u>EXTERNAL COSTS</u>			
Emergency Treatment Center	12,600	335	12,935
Alum Rock Counseling Center	N/A	N/A	N/A
CJRS Training Component	548	1,845	3,066
RCJPB Evaluation Component	2,725	5,945	8,670
Other AB 3121 Project costs	3,000		3,000
SUB-TOTAL	\$18,873	8,125	\$27,671
 GRAND TOTAL	\$166,086	\$60,575	\$227,334

EXHIBIT VI

PROJECTED COSTS ASSOCIATED WITH AB 3121
(Fiscal Year 1977-78)

	STATE	FEDERAL	TOTAL
<u>CRIMINAL JUSTICE SYSTEM COSTS</u>			
Juvenile Probation Department			\$161,298
Status Offender Housing	\$85,254		
Juvenile Hall		\$ 6,951	
Community Release	69,093		
District Attorney's Office	83,824	9,500	93,324
Public Defender's Office	141,621		141,621
Superior Court - Juvenile Division			103,152
Court reporter	24,192		
pro tem Court		78,960	
Sheriff's Office		62,554	62,554
SUB-TOTAL	\$403,984	\$157,965	\$561,949
<u>EXTERNAL COSTS</u>			
Emergency Treatment Center	N/A	N/A	N/A
Alum Rock Counseling Center	N/A	N/A	N/A
CURS Training Component	31,925	1,845	33,770
ECOP Evaluation Component	12,226	5,945	18,171
Other AB 3121 Project costs	138,065		138,065
SUB-TOTAL	182,216	\$7,790	\$190,006
TOTAL TOTAL	\$586,200	\$165,755	\$751,955

APPENDICES

FORMS AND INSTRUMENTS

CODEBOOK INFORMATION FOR BCS DATA

- A. COLUMN 1 = Race
1. White
 2. Mexican-American
 3. Negro/Black
 4. Indian (American)
 5. Chinese
 6. Japanese
 7. Other
 9. Not available
- B. COLUMNS 2-3 and 4-5 = Month and Year of Birth
Fill in actual month and year
- C. COLUMN 6 = Sex
1. Male
 2. Female
 9. Not available
- D. COLUMNS 7-8 = Month of arrest
- E. COLUMN 9 = Level of Offense
1. Delinquent Tendencies
 2. Misdemeanor
 3. Felony
 4. Not available
- F. COLUMNS 10 & 11 = Charges
- Felony:
1. Homicide
 2. Robbery
 3. Assault
 4. Burglary
 5. Grand Theft-except auto
 6. Auto theft
 7. Marijuana
 8. All others
- Misdemeanor:
9. Assault and Battery
 10. Petty Theft
 11. Drug offenses
 12. Weapons offenses
 13. Drunk driving
 14. Drunk
 15. Disturbing the peace
 16. Glue sniffing
 17. Malicious mischief
 18. Liquor offenses
 19. All others
- Delin. Tend.
20. Incurable
 21. Loitering-curfew
 22. Truancy
 23. Runaway
 24. All others
 99. Not available

G. COLUMN 12 = Status of offense

1. Citation
2. Booking
3. Other
9. Not available

H. COLUMNS 13 & 14 = Disposition by law enforcement agency

1. Released
2. Turned over to parents
3. Turned over to relative
4. Turned over to youth service bureau
5. Turned over to juvenile probation department
6. Turned over to another service agency
7. Misdemeanor charges filed
8. Felony charges filed
9. Juvenile court
10. Handled in department
11. Another disposition
99. Not available

I. COLUMNS 15 & 16 = Law enforcement agency

1. California Hwy Patrol
2. Campbell PD
3. Gilroy PD
4. Los Altos PD
5. Los Gatos PD
6. Milpitas PD
7. Morgan Hill PD
8. Mt. View PD
9. Palo Alto PD
10. San Jose PD
11. San Jose City College Police
12. Santa Clara PD
13. Santa Clara County Sheriff
14. Sunnyvale PD
15. Stanford PD
16. West Valley PD
17. San Jose State University Police
- 18.
- 19.
- 2 Not available

AB3121 INTERVIEWER'S GUIDE

with SPECIFIC ISSUES for

SCREENING, INTAKE AND INVESTIGATION, COURT UNIT,
JUDGES, REFEREE, DISTRICT ATTORNEYS (DA'S) PUBLIC
DEFENDERS (PD'S).

Hi, my name is _____. I am a consultant working for the Regional Criminal Justice Planning Board Evaluation Unit. We have the responsibility of assessing the impact of AB 3121, also known as the Dixon Bill, which was effective January 1, 1977. I would like to ask you a few questions to: a) determine your opinion of the impact of the legislation, b) to identify other sources of data that would help us in this assessment, and c) to find out how you think status offenders should be handled in the future. Of course, your answers will be completely confidential and your name will not be associated with responses in the report.

ALL

1. What is your title and would you please outline your duties so that I will have a better understanding of what you do.

ALL

2. What is your understanding of the intent of AB 3121? Do you agree with the legislation? If not, why not, and what do you think would be a more suitable course of action?

ALL

3. Has the implementation of AB 3121 affected your agency? In what area?

ALL 4. Do you foresee AB 3121 creating agency changes in the future? In what areas?

ALL 5. Has AB 3121 changed your task or the services you provide as title? Can you estimate the difference in the amount of time that you (and/or your unit) spend(s) at each task or service since AB 3121?

ALL 5a. When does the DA (PD) become involved in case? Has this changed? which hearings?
which offenses?
how become involved?

ALL 6. Has your (staff's) caseload changed? If yes, please explain

ALL if not
answered
above

7. For supervisors or agency heads only:
Has your agency's (units') workload changed? What measures of workload do you use? Would this require personnel changes? Do you have these workload data for 1974, 1975, 1976 and part of 1977?

ALL

8. For agency heads: Does your agency have particular policies regarding the implementation of AB 3121?

OR for non-agency heads:

Do you know your agency's policies regarding the implementation of AB 3121? What are they? How have they changed? How did you find out about the policy?

DA, PD,
COURT UNIT,
INTAKE & INVEST.

8a. What is the District Attorney's policy on filing? Has it changed since AB 3121 was implemented? What is the policy for filing on accomplices?

DA, PD,
COURT UNIT,
INTAKE & INVEST.

8b. Is the DA filing more multiple petitions? Please describe?

DA, PD,
COURT UNIT,
INTAKE & INVEST.

8c. How has the DA review of cases changed since AB 3121? How many cases are rejected for criminal processing and on what basis?

DA, PD,
COURT UNIT,
INTAKE & INVEST.

8d. What is the DA policy on requesting fitness hearings? Has this changed?

DA, PD
COURT UNIT,
INTAKE & INVEST.

8e. Does the DA's office have a policy to pursue the successful prosecution of all juvenile cases undertaken? Is there any difference in the way success is viewed in adult and juvenile prosecutions?

DA, PD,
COURT UNIT,
INTAKE & INVEST.

8f. Are the assigned DA's consistent in decisions to file petitions? (SEEK DETAIL)

DA

8g. What methods are used to achieve consistency?
(SEEK DETAIL)

ALL

9. Has your agency adopted particular procedures to implement AB 3121? What are they? How have they changed?

ALL

9a. How have procedures for filing petitions changed since AB 3121? How does this compare with filing of petitions by Probation before AB 3121?

ALL

- 9b. Have the court's procedures changed? Are procedures of law as regards juvenile different pre and post AB 3121? Are there any changes in safeguarding rights, presentations of facts, etc., Is this done in different ways or at different times? Is it, more or less, like the adult process?

ALL

10. Would training be useful to you or your staff? What kind?

ALL

11. Have you noticed a change in morale in your agency (unit) since AB 3121 was implemented?

SCREENING,
INTAKE &
INVEST.,
COURT UNIT

12. Has AB 3121 affected the flow of juveniles through the juvenile justice system? To what type of care and to what agencies are referrals from JPD made and has this changed? When in the formal process are these referrals made? (SEEK DETAIL)

ALL

- 12^c. Have the placement options of the court for 300's changed since AB 3121 was implemented? for 601's? for 602's? Have court support services changed? In what way? What additional court services are needed?

SCREENING,
COURT UNIT,
INTAKE &
INVEST.

13. Do you notice any difference between the implementation of AB 3121 and the 601 Diversion Program which was begun in 1972?

SCREENING,
COURT UNIT,
INTAKE & INVEST.,
PD, DA

- 13a. How many youth are still required to go to Court on 601 allegations?

SCREENING,
COURT UNIT,
INTAKE & INVEST.

- 13b. Are 601 cases dismissed as soon as release or voluntary placement has been arranged?

ALL

14. Has there been any difficulty in classifying youths as 300's, 601's, or 602's? What is the classification procedure? (*Determine if systematic and/or criteria used at each decision point*)

If interviewee is responsible for classification:

Have you encountered difficulties in making these judgments? (*SEEK DETAIL*)

JUDGES &
REFEREES

- 14a. How has the mandate that incarceration time for 602 juvenile youth be limited to the same amount of time that an adult could receive for a like offense, affected institutional programming in County facilities?

INTAKE &
INVEST.

14b. Where are remanded offenders housed? Is this appropriate?

JUDGES,
REFEREE

14c. Are or have the Hall, Ranches, and Shelter been overpopulated? If yes, what is the explanation? Is it related to AB 3121?

SCREENING,
INTAKE &
INVEST.

14e. Are there typical patterns of fleeing from non-secure facility or Children's Shelter, picked up again by law enforcement, returned to JPD? If yes, do you know how rapidly this happens on the average? Do you have replacement figures?

ALL

15. Have communications between your agency and others changed? If yes, with which agencies and how?

ALL

16. What effect has AB 3121 had on the number, types and extent of adversary proceedings? Has this had any effect on:

- a) juvenile attitudes and behavior?
- b) referee decisions?
- c) case dispositions?
- d) rehearings by judges?

((SEEK DETAIL))

PD, DA,
INTAKE &
INVEST,
COURT UNIT
SCREENING

16a. How have fitness hearings and remanded cases changed since AB 3121?

ALL

16b. Have probation investigations changed since AB 3121?

DA, PD,
SCREENING,
INTAKE &
INVEST.

16c. Is there a change in the incidence of plea negotiation? What is the net effect?

PD, DA,
INTAKE &
INVEST.,
COURT UNIT,
SCREENING

16d. Is there a change in the number of contested cases during detention hearings? If yes, what is the impact?

PD, DA,
INTAKE &
INVEST.,
COURT UNIT

16e. Has the assignment of a court reporter to the Referee resulted in a change in the number of rehearings? How can we determine the difference in the number of hearings?

PD, DA,
INTAKE &
INVEST.,
COURT UNIT

16f. Have new procedures effected court calendaring?

17. Have communications between yourself and workers in other agencies changed since implementation of AB3121? How?
18. Once you have been assigned a 601 case, what are the procedures you use to process the case? Does this process include referrals to other agencies such as JPD, treatment programs, and etc.? Have these referrals changed?
19. Give me the number of agencies, organizations, and/or persons you refer to relative to 601/status offenders. Have your referral sources changed since implementation of AB3121?
20. Have you noticed a change in the behavior or attitudes of the parents of status offenders since implementation of AB3121? What are these changes?
21. Have you noticed a change in the behavior or attitudes of the 601 offenders themselves? What are these changes?

THE IMPORTANCE OF AB3121 - What people are thinking
about The New Juvenile Law in California...

SCHOOL _____ Grade in School _____
6th thru 10th year 11th year 12th year
9th year

1. Birthdate _____ 2. Sex _____ 3. Race/Ethnic Background _____
Day Month Year Male Female

4. City of Residence _____

5. Because AB3121 is a law, it may effect your life. Now that you have heard this talk, what do you
think about this AB3121 law?

6. Did you hear about AB3121 before this talk from any of the following sources?

Parent _____	Older relative _____
Friend _____	Newspaper _____
Radio or TV _____	School Teacher _____
Other (i.e., Minister) _____	

If you checked any of the above sources, have you changed your mind about AB3121 after this talk?

Yes _____ No _____

If yes, why did you change it? _____

7. Have you learned anything new from this talk? Yes _____ No _____

If your answer is yes, what did you learn? _____

8. The new law (AB3121) provides these possible services to young persons, their parents; and
society:

- | | |
|---|----------|
| a) separates delinquents from simply troubled young persons. | a) _____ |
| b) short-term place to live for troubled young people. | b) _____ |
| c) help in solving family arguments. | c) _____ |
| d) help with school problems | d) _____ |
| e) prosecution of youthful delinquents. | e) _____ |
| f) provides more choices of action for troubled young people. | f) _____ |

List the three which you consider most important by making a check after those services.

Are there other services you feel would be good for young people, their parents, and society?
If you can think of any, what are they?

9. All people have problems. Young persons have a special set of problems. From this list, check the MOST IMPORTANT problems you have to deal with.

_____ talking with parents
_____ getting along with brother(s), sister(s)
_____ making friends
_____ dating boys (girls)
_____ doing school work badly
_____ teachers don't listen to me
_____ problems with adults in general
_____ hassles with police
_____ getting spending money
_____ getting money for extras
_____ feeling all alone most of the time
_____ not having anything to do

If there other important problems that you have that we haven't mentioned, please list them.

10. We would like your help in improving the discussion of AB3121, and would appreciate any comments you may have.

NAME _____

DATE _____

PROJECT AB5121

AGENCY CONTACT FORM

A. AGENCY NAME AND LOCATION:

NAME _____

ADDRESS _____

B. CONTACT PERSON AND TITLE:

(NAME)

PHONE _____

(TITLE)

C. Funding basis of agency (please circle all that apply).

1. Public (Federal/State)
2. Public (County)
3. Public (City)
4. Public (Neighborhood)
5. Not funded (Volunteer)
6. Private (Non-profit)
7. Private (Profit)

D. Agency service area (please circle one).

1. Neighborhood
2. District (of a city)
3. City
4. Portion of the County
5. County
6. Other.

Briefly describe the actual service area.

E. Scope of agency clientele (circle one).

1. General population (all ages, sexes)
2. Adult population (18 or older)
3. Youth population from _____ to _____ years of age
4. Youth (female) from _____ to _____ years of age
5. Youth (male) from _____ to _____ years of age
6. Another specialized population (please describe): _____

F. Types of agency services offered (please circle all that apply).

1. Crisis Intervention (24 hour)
2. Individual counseling
3. Group counseling
4. Family counseling
5. Psychiatric services
6. 24-hour telephone "hot-line"
7. Short-term residential (temporary housing for youth)
8. Long-term residential

(continued on next page)

F. (continued)

- 9. Referral services
- 10. Foster home placement
- 11. Recreational programs
- 12. Vocational programs
- 13. Other service(s), describe

G. Specifically, does the agency deal with 601 status offenders (runaway, truant, etc.)? (please circle)

yes no

Describe the extent with which the agency deals with status offenders

H. What actual services are offered to status offenders by the agency?

I. Are services offered to the parents of status offenders? What services?

J. From whom does the agency receive status offender referrals? (circle all that apply)

- 1. Self-referral (client contacts agency)
- 2. Parent(s)
- 3. Relative(s)
- 4. Friend(s)
- 5. Police
- 6. Juvenile Probation
- 7. Social service (welfare)
- 8. Mental Health
- 9. Other treatment agency
- 10. Another (describe) _____

K. Does the agency respond to family crisis situations?

yes no

L. Will the agency respond to the scene of a family crisis?

yes no

M. Can the agency "profile" the most common type of family crisis and the agency's response?

N. What is the philosophy of the agency?

O. Is the agency particularly well suited to meet the needs of various ethnic groups?

1. Staff is multi-ethnic.
2. Staff is multi-lingual.
3. Comments: _____

ALL

5. Has AB 3121 changed your task or the services you provide as (title) ? Can you estimate the difference in the amount of time that you (and/or your unit) spend(s) at each task or service since AB 3121?

ALL

- 5a. When does the DA (PD) become involved in case? Has this changed? which hearings?
which offenses?
how become involved?

ALL

6. Has your (staff's) caseload changed? If so, please explain

ALL IF HAVE
NOT ANSWERED
ABOVE

7. *For supervisors or agency heads only:*
Has your agency's (units') workload changed? What measures of workload do you use? Would this require personnel changes? Do you have these workload data for 1974, 1975, 1976, and part of 1977?

ALL

10. Would training be useful to you or your staff? What kind?

ALL

11. Have you noticed a change in morale in your agency (unit) since AB 3121 was implemented?

SUPERVISION
PLACEMENT

12. Has AB 3121 affected the flow of juveniles through the juvenile justice system? To what type of care and to what agencies are referrals from JPD made and has this changed? When in the formal process are these referrals made? (SEEK DETAIL)

SHELTER, HALL, 12a.
RANCH,
PLACEMENT

Has the Hall (Children's Shelter, non-secure facility, ranch) population changed significantly since AB 3121 was implemented? If yes, how? in terms of numbers? type of juvenile? If yes, has this influenced physical conditions? morale? disturbances (violence, mental anguish)?

ALL

8. *For agency heads:*

Does your agency have particular policies regarding the implementation of AB 3121?

Or for non-agency heads:

Do you know your agency's policies regarding the implementation of AB 3121? What are they? How have they changed? How did you find out about the policy?

ALL

9. Has your agency adopted particular procedures to implement AB 3121? What are they? How have they changed?

ALL

9a. How have procedures for filing petitions changed since AB 3121? How does this compare with filing of petitions by Probation before AB 3121?

COMMUNITY
RELEASE,
PLACEMENT,
SUPERVISION

9b. Have the courts procedures changed? Are procedures of law as regards juveniles different pre and post AB 3121? Are there any changes in safeguarding rights, presentation of facts, etc.; is this done in different way or at different times? Is this more or less like the adult process?

PLACEMENT

- 12b. What support services are provided to foster or group homes? What additional support services are needed?

PLACEMENT

- 12c. Have the placement options of the Court for 300's changed since AB 3121 was implemented? for 601's? for 602's? Have court support services changed? In what way? What additional court services are needed?

SUPERVISION

13. Do you notice any difference between the implementation of AB 3121 and the 601 Diversion Program which was begun in 1972?

ALL

14. Has there been any difficulty in classifying youths as 300's, 601's, or 602's? What is the classification procedure? *(Determine if systematic and/or criteria used at each decision point)*

(If interviewee is responsible for classification:)

Have you encountered difficulties in making these judgements?

(SEEK DETAIL)

HALL,
RANCH

14a. How has the mandate that incarceration time for 602 juvenile youth been limited to the same amount of time that an adult could receive for a like offense affected institutional programming in County facilities?

HALL,
RANCH

14b. Are there special security and behavioral problems with remanded offenders?

HALL

14c. Where are remanded offenders housed? Is this appropriate?

ALL

14d. Are or have the Hall, Ranches, and Shelter been over-populated? If yes, what is the explanation? Is it related to AB 3121?

SHELTER

14e. Are there typical patterns of fleeing from non-secure facility or Children's Shelter, picked up again by law enforcement, returned to JPD? If yes, do you know how rapidly this happens on the average? Do you have re-placement figures?

ALL

15. Have communications between your agency and others changed? If yes, with which agencies and how?

SUPERVISION,
PLACEMENT

16. What effect has AB 3121 had on the number, types and extent of adversary proceedings? Has this had any effect on:
- a) juvenile attitudes and behavior?
 - b) referee decisions?
 - c) case dispositions?
 - d) rehearings by judges?
- (SEEK DETAIL)

SUPERVISION,
PLACEMENT

- 16b. Have probation investigations changed since AB 3121?

ALL

17. What issues do you think the AB 3121 Plan should address, particularly with regard to status offenders?

ALL

18. What changes in the system or implementation of AB 312 do you think the Plan should recommend?

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